

2/12/13

13-3196  
(FSH)

Tino Cuervo  
36 Hawthorne Place, Apt. 5R  
Montclair, New Jersey 07042  
Cell#: 862-686-1993  
Home#: 973-707-2233

Equal Employment Opportunity Commission  
Newark Area Office  
1 Newark Center, 21<sup>st</sup> Floor  
Newark, New Jersey 07102-5233

To Whom It May Concern:

As per your instructions I filled the Intake Questionnaire to augment the paperwork that I filed with your office on 1/10/13. Also enclosed you will find a copy of a journal or for a better lack of a word, a black book. From my perspective this journal would be utilized for the sole purpose of Black listing certain parties. It has come to my attention that this is book number 2 and that another book that I was unable to put my hands on, exists. I consider this to be proof positive that through his surrogate, Roundsman, Samir Ghaly, that Brian Kelly is waging a campaign of intimidation, harassment, discrimination, and creating a hostile work environment for those of African-American and Hispanic-American descent. It would be greatly appreciated that this matter be fully investigated and that all guilty parties be compelled to testify on these egregious offenses. Thank you for your time and consideration.

Sincerely,

Tino Cuervo

5/20/13

13-3196 (FSH)

NYSA-PPGU  
889 Broadway  
Bayonne, New Jersey 07002-3032  
201-823-9050

John T. Oates – President  
Paul Punturieri – Vice-President  
Raymond Gorski – Secretary Treasurer/Business Agent  
Mohamed Arbab – Recording Secretary  
Eric Rasmussen – Sergeant-of-Arms

To Ray Gorski:

This grievance is in response to me being banned from working at Global Terminal. This occurrence took place on the morning of Friday May 17, 2003. On the morning of Friday the 17th, I was not feeling well and was drowsy due to taking cold medication before I left my house for my shift at work. I left not too long after my shift began to be seen by my doctor. I am forwarding my doctor's note along with this grievance. As you can see the doctor's note verifies the illness I was and am suffering from and my condition due to the medication. I now charge Samir Ghaly, Brian Kelly and APG, Local 1456, and the Seniority Board of NYSA for diminishing my auto-immune system by subjecting me to immeasurable and unconstrained stress by subjecting me to not one but ten interrogations by surrogates of Brian Kelly of APG having other security officers conduct surveillance(spying) while I am on my post. Due to the unwarranted level of stress, I also charge the aforementioned parties, to cause me immeasurable sleepless nights that also contributed to the diminished capacity of my auto-immune system making me more susceptible to illnesses. I will be seeking legal redress for the unconscionable actions of all parties on my person.

Sincerely,

Tino Cuervo

CLERK, U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
RECEIVED  
2013 MAY 21 AM 9 54

11/19/2012

*Received 11-19-12*  
*mcc*

**NYSA-PPGU Local 1456**  
**889 Broadway**  
**Bayonne, New Jersey 07002-3032**  
**201-823-9050**

**John T. Oates – President**  
**Paul Punturieri – Vice-President**  
**Raymond Gorski – Secretary-Treasurer/Business Agent**  
**Mohamed Arbab – Recording Secretary**  
**Eric Rasmussen – Sergeant-of-Arms**

**I Tino Cuervo, port-watchman at Global Terminal, am filing a grievance against the parties listed below:**

- 1) Asset Protection Group (APG) under Brian Kelly**
- 2) NYSA-PPGU**
- 3) Global Terminal, Jersey City, NJ/NYCT, Staten Island, NY**
- 4) New York Shipping Association (NYSA)**
- 5) United States Coast Guard, Staten Island, NY**

**I charge Brian Kelly of APG of creating a hostile work environment by having port-watchmen act as informants against fellow port-watchmen and for violating our constitutional right to privacy by installing a spy camera to monitor the actions of guards. I charge Brian Kelly of APG for discrimination by issuing suspensions to African-Americans and Hispanic-Americans almost exclusively.**

**I charge NYSA-PPGU for acting in collusion with Brian Kelly of APG by circumventing the procedural process outlined in the port-watchmen rules and regulations manual as it pertains to suspensions and terminations. NYSA-PPGU has allowed Brian Kelly of APG to mete out suspensions and terminations to his discretion, contrary to what is prescribed in the manual.**

**I charge NYSA-PPGU, APG, Global Terminal & New York Container Terminal and NYSA for acting in concert in having port-watchmen work out of title. At Global Terminal guards have been charging hand held computers (until recently) of the checkers and TIR men. Guards**

have also been dispensing keys for longshoremen vehicles. At NYCT guards have been dispensing keys for longshoremen vehicles and the guards who are on patrol for shifts 4pm-12am and 12am-8am, have been checking the temperatures of refrigerated containers and logging them down. They also have to report any refrigerated container that shuts down to the guard at the Main Gate. This process has been going on at least for 15 years with the knowledge of the aforementioned parties.

I charge NYSA-PPGU, APG, and Global Terminal for violations of security protocol. On Friday 9/28/12, Roundsman Samir Ghaly, informed the guards at Inbound Gate B and the Construction Gate while I was present, that on Monday 10/1/12, that Inbound Gate B would be opened and unmanned the whole day, a complete violation of security protocol. On said date, Inbound Gate was unmanned for the first hour of operation 5am-6am. On Tuesday 10/2/12, Roundsman Samir Ghaly informed me that the Coast Guard and NYSA-PPGU was called about the unmanned gate. In order for Samir Ghaly to have this information the Coast Guard would have had to call Global Terminal and inform them that there was a whistleblower on the terminal. Since the United States Coast Guard is a military branch of the federal government, they fall under the auspices of all federal laws. As a federal entity, the United States Coast Guard is prohibited by the Whistleblower Protection Act of 1989, a federal law, from seeking retribution or exposing any whistleblower. I now charge the United States Coast Guard for violating the federal Whistleblower Protection Act of 1989.

On Tuesday 10/10/12 and Wednesday 10/11/12, APG with their attorney/investigator Stephanie, proceeded to conduct an internal investigation under the guise that a hostile work environment was being created by rumors going about. On both those days I was summoned and asked questions by the attorney/investigator Stephanie, which she proceeded to write down on a notepad. On Wednesday 10/17/12 I was summoned again to answer questions. It was at that inquiry I refused to answer any more questions without an attorney present. She informed me that I was not privy to an attorney because it was a union matter. I guess she forgot there was a constitution. I requested for my union rep Raymond Gorski to be present so they set up a meeting on Thursday 10/18/12. Before Mr. Gorski, I, and APG's attorney Stephanie sat down, I had a private consult with Mr. Gorski and he informed me that I should have notified him as soon as the investigation began back on 10/10/12. Since Mr. Gorski had no prior knowledge of this investigation, Mr. Kelly of APG and his attorney violated union protocol by not informing the union that they would be conducting an internal investigation and questioning union members. On Friday 11/16/12, I was summoned again to sit down with APG's attorney Stephanie and my union rep Raymond Gorski. After a few minutes I saw that APG's attorney was redundant in her line of questioning from our previous meetings and I informed her that I was not answering any more questions and it was over. At that point Mr. Gorski ended the questioning and I returned to my post.

I have outlined in this aggrieved document violations of union protocol, violations of security protocol, civil rights violations, constitutional rights violations and violation of a federal statute.

Sincerely,

A handwritten signature in black ink that reads "Tino Cuervo". The signature is written in a cursive style with a large, sweeping initial 'T'.

**Tino Cuervo WFC 11993**

## **NYSA-PPGU LABOR RELATIONS COMMITTEE**

**889 Broadway, Bayonne, NJ 07002-3032 (201) 243-0660  
333 Thornall Street, Suite 3A, Edison, NJ 08837 (732) 452-7800**

**First Class Mail**

**May 14, 2013**

**Mr. Tino Cuervo  
36 Hawthorne Place  
Montclair, New Jersey 07042**

**Re: Appeal of March 21, 2013 Seniority Board Decision**

**Dear Mr. Cuervo:**

**On Wednesday, May 8, 2013, the NYSA-PPGU Labor Relations Committee (LRC) heard your appeal of the NYSA-PPGU Seniority Board's (Seniority Board) decision of March 21, 2013 (copies of the decision and your appeal are attached).**

**Your appeal relates to Determinations 2, 4 and 5 of the Seniority Board's decision and allegations about ownership of security cameras.**

**Because you were unable to identify the exact date in question or provide details about the date in question, your appeal of Determination 2 was denied.**

**Because no new evidence was supplied to warrant overturning the Seniority Board's decision, your appeal of Determinations 4 and 5 was denied.**

**Because your allegations about ownership of security cameras at APG were already addressed in the Seniority Board's decision of January 23, 2013 and in the LRC's decision of March 21, 2013, and as you failed to provide any evidence of APG's ownership of the security cameras on your appeal, review of this matter was denied.**

**The decision of the LRC is final and binding.**

**Very truly yours,**



**Mary Cznadel, Secretary**

**cc: Kenneth Karahuta – NYSA  
Frank Chimento - PNCT  
Mark Hanafee - APM  
Brian Kelly – APG  
John T. Oates – PPGU  
Raymond T. Gorski – PPGU  
Richard Ciampi, Esq.  
Stephen Davis, Esq.  
Joy M. Holz, Esq.**



**Asset Protection Group**

**DATE:** 5/1/13

**TO:** TINO CUERVO – WFC #11993

**FROM:** BRIAN KELLY *BJK*

**RE:** INCIDENT OF 3/13/13  
GEORGE REYNOLDS  
DIRECTOR OF SAFETY & SECURITY  
(MEMO ATTACHED)  
“WRONG CONTAINER EXITED FACILITY”

This matter is under further inquiry.

“Unit Inspection outbound at 1454.”

“You requested a break at 1158.”

During your shift Container #NYKU 7028971 –  
Depart the facility with a ticket for #NYKU 7032971 –

During your interview with Mark Riggio of APG, you stated you have no knowledge of this happening and that it may have taken place when you were on your break.

Should we need further information related to this matter you will be advised.

BJK:ic

cc. John Oates – PPGU – [Oates@PPGU.net](mailto:Oates@PPGU.net)  
Kenneth Karahuta – NYSA – [kkarahuta@NYSAnet.org](mailto:kkarahuta@NYSAnet.org)  
Ray Gorski – PPGU – [Gorski@PPGU.net](mailto:Gorski@PPGU.net)  
Rich Ciampi – Lambos Firm – [Rciampi@lambosfirm.com](mailto:Rciampi@lambosfirm.com)



To: Brian Kelly  
President APG Security

From: Mark Riggio  
Director of Operations

Re: Tino Cuervo Investigation

Date: April 4, 2013

**Investigation Regarding Security Officer Tino Cuervo**

On Thursday April 4, 2013 at approximately 2pm I responded to Global Terminal at 302 Port Jersey Blvd. Jersey City, NJ to interview Mr. Tino Cuervo two incident reports I received regarding a breach of policy and Mr. Cuervo signing out the wrong truck.

I asked Mr. Cuervo about the first incident regarding him closing the gates before all the reefer trucks were able to exit the premises. Mr. Cuervo stated that it was a new post and he was not aware of the policy of only closing the gate after authorization from Global Management. He also stated that roving officer Sharon Reed told him that there were only three reefer trucks left in the yard and that he closed the gate after the last one left.

Mr. Cuervo was then asked about the wrong reefer truck exiting the property on a separate date. Mr. Cuervo stated that he had no knowledge of this happening and that maybe it took place when he was on break.

**Interview with Security Officer Rover Sharon Reed**

On Thursday April 4, 2013 at around 315pm I interviewed Security Officer Sharon Reed regarding the incident that took place with Tino Cuervo closing the gate early before all the reefer trucks could exit. S/O Reed stated that the day in question that she told Tino that there were (3) reefer trucks left but also told him that there were more in the other yard but did not give an amount. S/O Reed also stated that the policy to have Global call the gate to give authorization was in place three weeks prior to this incident taking place.





**Global Terminal & Container Services, LLC**  
*"Committed To Service"*

---

To: Brian Kelly  
APG Security

15 March 2013

From: George Reynolds  
Director: Safety and Security  
Global Terminal and Container Services LLC

Re: Security Officer Tino Cuervo WF# 11993

Brian,

On 13 March 2013 S.O. Cuervo was posted at the outbound construction gate that is also used for exiting refrigerated containers after they are serviced. The guard on duty is to check to make sure the Reefer containers exiting facility have completed moves and are the proper containers. During his shift container NYKU 7028971 left the facility with a ticket that was for container NYKU7032971. The only reason we found out about this mistake was because the company that picked the container up called to tell us they had the wrong container. This is a real issue to our business as the container could have been taken and we would have had no way to find out who took it if the company did not call and inform us of the issue.

Please let me know what disciplinary actions will be taken to correct this issue.

George Reynolds  
Director: Safety/Security  
Global Terminal and Container Services LLC  
Office: 201-706-4030  
Fax: 201-451-1737  
Cell: 908-380-1052

CC: Kevin Price, John Atkins, Jason Jasovski, David Brady, Dennis Kelly, Mark Kiely.



**Asset Protection Group**

**DATE:** 5/1/13  
**TO:** TINO CUERVO – WFC #11993  
**FROM:** BRIAN KELLY *JK*  
**RE:** OUTBOUND GATE PROCEDURE

Please be advised that while on duty at outbound gates that service the maintenance Repair/Reefer Department and the ongoing construction project at Global Terminal, the security officer is to communicate with the Maintenance and Repair/Reefer Department to verify that all customers have been serviced and have exited the terminal.

The officer is to log the date, time and individual from that department who advised that operations have been completed, prior to leaving their post.

The officer will also advise the main gate officer, who will also log the same information.

Should the communication be reversed (e.g.: Maintenance Repair & Reefer Department) give the order thru the main gate and both officers shall again log the same information in their log.

It is important that both departments communicate in an effort to avoid any confusion or delays in servicing customers at Global Terminal.


If there is any question or doubt it is imperative to contact the appropriate department prior to leaving your post or securing a gate.

BJK:ic

cc. John Oates – PPGU – [Oates@PPGU.net](mailto:Oates@PPGU.net)  
Kenneth Karahuta – NYSA – [kkarahuta@NYSAnet.org](mailto:kkarahuta@NYSAnet.org)  
Ray Gorski – PPGU – [Gorski@PPGU.net](mailto:Gorski@PPGU.net)  
Rich Ciampi – Lambos Firm – [Rciampi@lambosfirm.com](mailto:Rciampi@lambosfirm.com)



**Asset Protection Group**

**DATE:** 5/1/13  
**TO:** TINO CUERVO  
**FROM:** BRIAN KELLY   
**RE:** CLOSING GATE WITHOUT AUTHORIZATION

On 3/11/13 you were assigned to the outbound construction gate. As you are aware this gate is also responsible for processing outbound refrigerated containers after servicing.

This gate is not to be closed until the Reefer Department notifies security that all reefer units have been completed and departed the terminal.

On this date you closed the gate and left your post without authorization.

There was still at least one reefer unit on the facility, thus causing a delay in closing the terminal and impeding the driver's departure.

You have been warned and counseled about this in the past but have continued to have disregard for Rules and Regulations.

Your failure to comply with the requirements of your duties as a Port Watchman will not be tolerated.

BJK:ic

cc. John Oates – PPGU – [Oates@PPGU.net](mailto:Oates@PPGU.net)  
Kenneth Karahuta - NYSA – [kkarahuta@NYSA.net.org](mailto:kkarahuta@NYSA.net.org)  
Ray Gorski – PPGU – [Gorski@PPGU.net](mailto:Gorski@PPGU.net)  
Rich Ciampi – Lambos Firm – [Rciampi@Lambos.com](mailto:Rciampi@Lambos.com)

**SUPREME COURT OF NEW JERSEY  
DISTRICT ETHICS COMMITTEE  
For Middlesex County  
District VIII**



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1918 Highway 27  
P.O. Box 593  
Edison, N.J. 08818  
(732) 985-0050

Mr. Alan E. Gordon  
Mr. Bernard Gross  
Ms. Elaine M. Jasko  
Ms. Kathleen Killion  
Mr. Michael Kohut  
Rabbi Chaim A. Rogoff

March 20, 2013


**Mr. Tino Cuervo**  
36 Hawthorne Place  
Apartment #5-R  
Montclair, NJ 07042

**RE: TINO CUERVO v. STEPHANIE D. GIRONDA, Esquire**

Dear Mr. Cuervo:

Please be advised that I am in receipt of your Attorney Ethics Grievance Form dated March 11, 2013. Pursuant to *Rule 1:20-3(e)*, I will notify you of my docketing decision within forty-five (45) days. In the meantime, you will be copied on any correspondence I may send to Stephanie Gironda, Esquire in respect to the screening process.

Very truly yours,

  
**MANNY GERSTEIN** *slm*  
Secretary

MG/dmm

**SUPREME COURT OF NEW JERSEY  
DISTRICT ETHICS COMMITTEE  
For Middlesex County  
District VIII**



**PERSONAL & CONFIDENTIAL**

March 20, 2013

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Rabbi Chaim A. Rogoff

**STEPHANIE D. GIRONDA, Esquire**  
% WILENTZ, GOLDMAN & SPITZER, Esquires  
90 Woodbridge Center Drive  
Suite #900; Box #10  
Woodbridge, NJ 07095

**RE: TINO CUERVO v. STEPHANIE D. GIRONDA, Esquire**

Dear Ms. Gironda:

Please be advised that we have received the enclosed grievance form from Tino Cuervo which **requires your written response (an original and one copy)**. As I am under a mandate to resolve this matter promptly, it is imperative that you respond, in writing, **within fourteen (14) days of the date of this letter.**

Very truly yours,

/s/ MANNY GERSTEIN

**MANNY GERSTEIN**  
Secretary

MG/dmm  
Enclosure

cc: Mr. Tino Cuervo (w/o enc.)

**SUPREME COURT OF NEW JERSEY  
DISTRICT ETHICS COMMITTEE  
For Middlesex County  
District VIII**



**PERSONAL & CONFIDENTIAL**

April 23, 2013

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Mr. Alan E. Gordon  
Mr. Bernard Gross  
Ms. Elaine M. Jasko  
Ms. Kathleen Killion  
Mr. Michael Kohut  
Rabbi Chaim A. Rogoff

**Mr. Tino Cuervo**  
36 Hawthorne Place  
Apartment #5-R  
Montclair, NJ 07042

**RE: TINO CUERVO v. STEPHANIE D. GIRONDA, Esquire**

Dear Mr. Cuervo:

Enclosed is Ms. Gironda's response to your grievance. Please be advised that the Supreme Court of New Jersey has established a policy that grievances that state facts that do not constitute unethical conduct of a New Jersey attorney shall be declined and not docketed. A copy of New Jersey Court *Rule* 1:20-3(e)(3) is attached.

After reviewing all of the documentation submitted I concluded that the facts stated in your grievance, even if proven, would not constitute unethical conduct or incapacity. I, therefore, referred the matter for review by a public member (i.e., non-lawyer) of this Committee. The public member agrees that your grievance, even if proven, would not constitute unethical conduct or incapacity. Therefore, our file in this matter has been closed. Please note that pursuant to *Rule* 1:20-3(e)(6), this declination is not appealable.

Very truly yours,

*Manny Gerstein*

**MANNY GERSTEIN**  
Secretary

MG/dmm  
Enclosure

cc: Stephanie D. Gironda, Esq. (w/Court Rule)

LAY MEMBER  
APPROVING DISMISSAL  
*[Signature]*  
DATED



WILENTZ, GOLDMAN &amp; SPITZER P.A.

**ATTORNEYS AT LAW**

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www.wilentz.com

Please reply to:

Woodbridge

Direct Dial: (732) 855-6027

Direct Fax: (732) 726-4716

e-mail: sgironda@wilentz.com

DAVID T. WILENTZ (1919-1988)  
G. GEORGE GOLDMAN (1922-1956)  
HENRY M. SPITZER (1928-1988)  
WARREN W. WILENTZ (1949-2010)

FREDERIC K. BECKER<sup>2</sup>  
RICHARD F. LERT<sup>3</sup>  
JOHN A. HOFFMAN  
STEPHEN E. BARCAN  
BARRY M. EPSTEIN<sup>2,10</sup>  
VINCENT P. MALTESE  
DAVID M. WILDSTEIN  
GORDON J. GOLUB  
MARVIN J. BRAUTH<sup>2</sup>  
STUART A. HOBERMAN<sup>2,3</sup>  
STEPHEN A. SPITZER  
ANNE S. SABINEAU<sup>1</sup>  
CHRISTINE D. PETRUZZELL  
BRIAN J. MOLLOY  
RANDALL J. RICHARDS  
JOSEPH J. JANKOWSKI  
DAVID S. GORDON  
FREDERICK J. DENNEHY  
ROY H. TANZMAN<sup>1</sup>  
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MAUREEN S. BINETTI<sup>4</sup>  
ANTHONY J. PANNELLA, JR.  
MICHAEL J. BARRETT<sup>4</sup>  
MICHAEL F. SCHAFF<sup>2,7</sup>  
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C. KENNETH SHANK<sup>2</sup>  
EDWIN LEAVITT-GRUBERGER<sup>2</sup>  
BRUCE M. KLEINMAN<sup>25</sup>  
BARRY A. COOKE<sup>2</sup>  
JON G. KUPILIK

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HESSER G. MCBRIDE, JR.  
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ROBERT C. KAUTZ<sup>2,6</sup>  
VIOLA S. LORDI<sup>7</sup>  
LYNNE M. KIZIS  
KEVIN P. RODDY<sup>2,8,9</sup>  
DANIEL S. BERNHEIM<sup>3d,13</sup>  
DAVID H. STEIN  
DOUGLAS WATSON LUBIC<sup>2</sup>  
DOMINICK J. BRATTI  
LISA A. GORAB<sup>2</sup>  
LAWRENCE F. JACOBS<sup>2</sup>  
FRED HOPKE<sup>1</sup>  
DONALD E. TAYLOR<sup>3</sup>  
BRETT R. HARRIS<sup>1</sup>  
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ALFRED M. ANTHONY<sup>2</sup>  
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DONNA M. JENNINGS  
GIOVANNI ANZALONE  
PETER A. GREENBAUM<sup>2</sup>  
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LAWRENCE C. WEINER<sup>2</sup>  
LAURIE E. MEYERS<sup>2,4</sup>  
JOHN M. CANTALUPO<sup>2</sup>  
BARBARA G. QUACKENBOS<sup>3</sup>  
DAVID P. PEPE  
JOHN E. HOGAN<sup>2</sup>  
EVERETT M. JOHNSON<sup>2</sup>  
DANIEL R. LAPINSKI<sup>13,1</sup>  
TODD E. LEHDER<sup>1,7</sup>  
PHILIP A. TORTORETI<sup>11,12</sup>  
KELLY A. ERHARDT-WOJIE<sup>1</sup>  
ALEX LYUBARSKY<sup>2</sup>  
ELLEN TORREGROSSA-O'CONNOR

OF COUNSEL  
ALAN B. HANDLER<sup>5</sup>  
FRANCIS V. BONELLO

COUNSEL  
RUTH D. MARCUS<sup>12</sup>  
RICHARD J. BYRNES  
JAMES E. TONREY, JR.<sup>2</sup>  
DEIRDRE WOLFE PACHECO<sup>2</sup>  
ROBERTO BENITES  
JONATHAN J. BART<sup>2,3</sup>  
YVONNE MARCUSE  
ABBY RESNICK-PARIGIAN<sup>2,3</sup>  
BARBARA J. KOONZ<sup>10</sup>  
FRANCINE E. TAJFEL<sup>2</sup>  
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ELIZABETH C. DELL<sup>2</sup>  
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MICHAEL J. WEISSLITZ  
JOHN P. MURDOCH II

**ASSOCIATES**

LINDA LASHBROOK  
LETITIA ACCARRINO<sup>2</sup>  
ALBERTINA WEBB<sup>2</sup>  
MARY H. SMITH  
ANNA I. MONFORT  
STEPHANIE D. GIRONDA  
KEVIN H. FRIEDMAN<sup>18</sup>  
GREGORY D. SHAFFER<sup>2,4</sup>  
LOUIS J. SEMINSKI, JR.  
MICHAEL F. FRIED<sup>2</sup>  
MATTHEW SKOLNIK<sup>3</sup>  
ALYSON M. LEONE<sup>2</sup>  
VINCENT CHENG<sup>2</sup>  
JAMIE M. BENNETT<sup>2</sup>

MARCELLO DE PERALTA<sup>14</sup>  
KEITH L. HOVEY<sup>2,1</sup>  
JOSEPH J. RUSSELL, JR.<sup>2</sup>  
EMILY D. VAIL<sup>14</sup>  
CHERYL E. CONNORS  
ANTHONY WILKINSON<sup>2</sup>  
JAY B. FELDMAN<sup>1</sup>  
JAMES TRACY  
DANIEL J. KLUSKA  
KARIN K. SAGE  
REBECCA J. WHITMARSH<sup>2</sup>  
CORINNE L. MCCANN  
SATISH V. POONDI  
KUSH SHUKLA<sup>1,10</sup>  
RACHEL C. HEINRICH<sup>2</sup>  
GLENN P. PRIVES<sup>2</sup>  
ANNEMARIE T. GREENAN<sup>2</sup>  
ANDREW GROUS<sup>2,3</sup>  
MEGAN E. BEDELL<sup>2</sup>

◄ Certified Civil Trial Attorney  
◻ Certified Criminal Trial Attorney  
† Certified Workers Comp. Attorney  
1 Not admitted NJ  
2 Admitted NY  
3 Admitted PA  
4 Admitted CT  
5 Admitted DC  
6 Admitted MA  
7 Admitted MD  
8 Admitted VA  
9 Admitted CA  
10 Admitted FL  
11 Admitted PR  
12 Admitted VI

April 10, 2013

**CONFIDENTIAL**

Manny Gerstein, Esq.

1918 Highway 27

P.O. Box 593

Edison, NJ 08818

RE: Tino Cuervo v. Stephanie D. Gironda, Esq.

Dear Mr. Gerstein:

This letter is in response to a complaint by Tino Cuervo, an employee at my firm's client, APG Security ("APG"). Initially, it should be pointed out that I do not have an attorney-client relationship with Mr. Cuervo.

In early October 2012, I was retained by Human Resources Director Brian Kelly of APG to investigate allegations of a hostile work environment based on a protected category made by an employee against her supervisor at the global terminal in Bayonne, NJ. As attorney for APG, my specific task was to determine whether the two most recent allegations by this employee against her supervisor were substantiated by facts, and also to determine the source of her information, so that I could interview that source and obtain first hand knowledge regarding the allegations.





April 10, 2013  
Page 2

The Human Resources Director informed the Union Representative, Raymond Gorski, before the investigation occurred that it was going to take place. My investigation consisted of interviews during the week of October 8, 2012 to October 12, 2012 with approximately eight (8) individuals who were deemed relevant to the investigation. I was provided with the names of some of these individuals by the Human Resources Director, because they were individuals who worked during the same shift(s) as the employee who had made the allegations of discrimination and others I interviewed because the employee named them as persons with knowledge. My task was not to complete a global investigation of the entire port, which would include all security officers on all shifts at the terminal. It was limited to investigating the specific allegations that this security officer had most recently made and to determining whether those allegations were true and created a hostile work environment.

I provided the same pre-interview information to all employees that I interviewed. I told each that I was an attorney representing APG Security and was hired by the Director of Human Resources for APG Security to investigate whether there was a hostile work environment created by the supervisor and to determine the source of the information that the employee had received about the supervisor's behavior. I also told each individual that I interviewed that they were not to discuss the interviews or my questions with fellow employees. As I conducted the investigation, I uncovered additional information that caused me to change some of my questions and add new questions, but I never misled any employee as to what the investigation was about.

Mr. Cuervo was summoned for an interview with me on four occasions, because the employee alleged that he was the source of the allegations about the supervisor and the testimony of other employees provided support for that allegation. Mr. Cuervo denied that he was the source of the information and further stated that he did not believe that the supervisor discriminated against any employees on the basis of a protected class. I interviewed Mr. Cuervo on several occasions in order to clarify his testimony and determine his credibility, because the investigation had developed a he said/she said component. However, as the investigation





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Page 3

continued, I became aware of information that shed light on Mr. Cuervo's credibility. I became aware as a result of overwhelming evidence that Mr. Cuervo arranged to meet with and discussed my investigation and questioning off-site with the complainant, despite my prior instructions. When I asked him about this, Mr. Cuervo denied that he had ever spoken with any other employee about the investigation or my questioning.

Mr. Cuervo had his union representative present on two of the occasions when I interviewed him, although he was aware that he could have had his union representative present during all interviews. At the specific interview on Friday, November 16, 2012, upon which Mr. Cuervo comments in his complaint, he refused to answer any questions that I posed to him. Since the investigation was obviously at that point futile, Mr. Cuervo's union representative ended the investigation. The reason that the interview was ended was not, as Mr. Cuervo insinuates, that Mr. Gorsky questioned my style or the substance of my investigation. Mr. Gorsky just deemed it futile to continue the investigation with Mr. Cuervo, since he would not respond to my questions.

The Committee should also note that Mr. Cuervo filed an NLRB charge against APG subsequent to my investigation, which he ultimately withdrew. The charge, which I reviewed, specifically alleged facts that he denied to me.

My conduct in this situation did not violate any of the ethics rules and this charge against me by Mr. Cuervo has simply been lodged in order to try to retaliate against me for uncovering Mr. Cuervo's conduct. I respectfully request that the Ethics Committee dismiss this charge.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Stephanie D. Gironde', is written over a horizontal line.

STEPHANIE D. GIRONDA

SDG/am

# SEND IN TRIPLICATE (Including Attachments)

## ATTORNEY ETHICS GRIEVANCE FORM

Please Type Or Print Legibly All Information

**A. GRIEVANT: (Mr./Mrs./Miss./Ms. (Circle One))**

Cuervo Tino  
 LAST NAME FIRST MIDDLE  
36 Hawthorne Place, Apt. 5R  
 ADDRESS STREET/P.O. BOX  
Montclair NJ 07042 Essex  
 CITY STATE ZIP COUNTY

TELEPHONE: DAY (862) 686-1993 EVENING (973) 787-2233

**B. THE SPECIFIC LAWYER YOU ARE COMPLAINING ABOUT IS:**

Gironda Stephanie  
 LAST NAME (INCLUDE SR., JR., III, ETC.) FIRST MIDDLE  
90 Woodbridge Center, Suite 900  
 OFFICE ADDRESS STREET/P.O. BOX  
Woodbridge NJ 07095 Middlesex  
 CITY STATE ZIP COUNTY

- (1) IS THE SPECIFIC LAWYER COMPLAINED ABOUT YOUR LAWYER? \_\_\_ YES ☒ NO  
 (2) IF SO, DOES THIS LAWYER STILL REPRESENT YOU? \_\_\_ YES ☒ NO  
 (3) IF NOT, DO YOU HAVE A NEW LAWYER? \_\_\_ YES ☒ NO  
 (4) IF SO, WHO IS YOUR NEW LAWYER? \_\_\_\_\_

**C. THE TYPE OF CASE HANDLED BY THE LAWYER WAS: (CHECK ONE)**

<input type="checkbox"/> Admiral/Maritime	(V) <input type="checkbox"/> International Law	(J) <input type="checkbox"/>
<input type="checkbox"/> Adoption/Name Change	(A) <input checked="" type="checkbox"/> Juvenile Delinquency	(J) <input type="checkbox"/>
<input type="checkbox"/> Bankruptcy/Insolvency/Foreclosure	(B) <input checked="" type="checkbox"/> Labor	(L) <input type="checkbox"/>
<input type="checkbox"/> Collection	(H) <input type="checkbox"/> Landlord/Tenant	(Q) <input type="checkbox"/>
<input type="checkbox"/> Contract	(K) <input type="checkbox"/> Negligence (Personal Injury)	(N) <input type="checkbox"/>
		<input type="checkbox"/> Property Damage
<input type="checkbox"/> Corporation/Partnership Law	(X) <input type="checkbox"/> Patent/Trademark/Copyright	(P) <input type="checkbox"/>
<input type="checkbox"/> Criminal, Quasi-Criminal and Municipal Court	(C) <input type="checkbox"/> Real Estate	(R) <input type="checkbox"/>
<input type="checkbox"/> Domestic Relations (Divorce, Support, Custody)	(D) <input type="checkbox"/> Small Claims Court	(S) <input type="checkbox"/>
<input type="checkbox"/> Estate/Probate	(E) <input type="checkbox"/> Tax	(T) <input type="checkbox"/>
<input type="checkbox"/> Federal Remedies/Civil Rights	(F) <input type="checkbox"/> Workers' Compensation	(W) <input type="checkbox"/>
<input type="checkbox"/> Government Agency Problems (Local thru Federal)	(G) <input type="checkbox"/> Other Litigation (specify)	(Y) <input type="checkbox"/>
<input type="checkbox"/> Immigration/Naturalization	(M) <input type="checkbox"/> Other Non-Litigation (specify)	(Z) <input type="checkbox"/>

IS THE CASE HANDLED BY THE LAWYER STILL PENDING? \_\_\_ YES \_\_\_ NO ✓ unsure

(This Section for Secretary's Use Only)

DOCKET NUMBER \_\_\_\_\_ DATE DOCKETED \_\_\_\_\_

\*\* COMPLETE BOTH SIDES \*\*

STANDARD IN TRIPLICATE  
(including Attachments)

**D. OTHER RELATED COMPLAINTS OR LITIGATION:**

- (1) Have you filed a complaint regarding this matter with law enforcement authorities or any other state or federal agency? \_\_\_\_ YES ☒ NO If yes, please state:

Name of Agency: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Date Filed: \_\_\_\_\_

Result: \_\_\_\_\_

- (2) Is the matter you are complaining about the subject of a pending civil law suit? \_\_\_\_ YES ☒ NO  
If yes, give name of Court \_\_\_\_\_

Docket Number: \_\_\_\_\_ County: \_\_\_\_\_

**E. NATURE OF GRIEVANCE:**

State what the lawyer did or failed to do which may be unethical. State all relevant FACTS including dates, times, places and names and addresses of important witnesses. Attach copies of important letters and documents.

Grievance is on attached letter.

(Use Additional Sheets if Necessary)

**F. INVESTIGATIVE CONFIDENTIALITY**

The Supreme Court of New Jersey has held that persons who file grievances "may speak publicly regarding the fact that a grievance was filed, the content of that grievance, and the result of the process." Since disciplinary officials are required by *Rule 1:20-9(h)* to maintain the confidentiality of the investigation process and may neither speak about the case nor release any documents, until and unless a formal complaint is issued and served, you must also keep confidential any documents you may receive during the course of the investigation of your grievance.

To protect the integrity of the investigation process, we recommend that you, as well as all witnesses, not speak about the case other than to disciplinary officials while the matter is under investigation. So long as you maintain the confidentiality of the investigation process, you have immunity from suit for anything you say or write to disciplinary officials. However, the Supreme Court has stated that you "are not immune for statements made outside the context of a disciplinary matter, such as to the media or in another public forum." *R.M. v. Supreme Court of New Jersey*, 185 N.J. 208 (2005).

Date: \_\_\_\_\_ **SEND IN TRIPLICATE**  
**(Including Attachments)** \_\_\_\_\_ Signature

PLEASE REVIEW THE PAMPHLET "INFORMATION ABOUT GRIEVANCE PROCEDURES AND DISCIPLINE OF LAWYERS" PROVIDED BY THE ETHICS SECRETARY.



PLEASE NOTIFY DISTRICT SECRETARY OF DISABILITY ACCOMMODATION NEEDS.

# ASSET PROTECTION GROUP

## DAILY OPERATING LOG

DAY: WEDNESDAY DATE: MAY 1<sup>ST</sup>, 2013On Duty: JULIA M. VALDIVIAShift/tour: 0700 - 1600Facility: GLOBAL MAIN GATELocation: Jersey City - N.J.At Start of Tour: Cap Henri - NetherlandsWeather Conditions: SUNNY, CLEAR,Operating Conditions: REGULAR

TIME	DESCRIPTION OF DUTIES/EVENTS
<b>0653</b>	JOINED S.O. DAHR @ THE M/G. RADIO, PHONE + CAM WORKING FINE.
	0658 CALLED GERRY LUPCO TO P/U FIVE ENVELOPES FROM FEDEX LEFT
<b>07</b>	@ THE M/G YESTERDAY AFTERNOON. 0721 CALLED ASHLEIGH (X1 9040) FOR
	A DELIVERY FROM BOB'S AUTO GLASS, RECEIVED BY RON FROM RTG. DPT.
<b>0800</b>	0812 S.O. KWAKKE, REPORTED AN ACCIDENT @ E-600, APPARENTLY AN
	RTG OPERATOR HIT A LIGHT POLE, I RADIOED SAMI ABOUT IT. 0815
	CALLED JASON, TO STOP BY THE ACCIDENT'S LOCATION 0819 ACCIDENT RE-
	PORTED TO FSD. 084 CALLED TEAM FOR RELEASE OF HVC: 00LV 8284580.
<b>0900</b>	0913 TALKED TO FRED: A TIRE BLEW OFF ON UNIT 75 BY E-500.
	0933 CALLED THE DRUG TESTER FOR HUSTLER OPERATOR INVOLVED IN THE
	ACCIDENT MENTIONED ABOVE. HUSTLER OPERATOR: FERNANDO SPANO
	WF # 82118.
<b>1000</b>	1015 DRUG TESTER IS IN.
<b>1100</b>	1124 CALLED TERRI FOR RELEASE OF HVC: HASU 4054871
<b>1200</b>	1213 CALLED TERRI TO PUT BACK IN HOLD HVC: HASU 4054871. 1256
	CALLED GEORGETTE FOR RELEASE OF HVC: HASU 4054871
<b>1300</b>	1331 CALLED TERRI FOR RELEASE OF HVCs: CADU 7019613 + SUDV 8664406
	1305 S.O. CUERVO CALLED ON THE RADIO SAYING "JULIA, CAN YOU SEND
	SOMEBODY TO RELIEVE ME TO USE THE PORTABLE, I NEED TO TAKE A
	PISS". TO WHAT SOMEBODY ELSE ADDED "YEAH, AND I NEED TO TAKE
	A SH.. " AS LONG AS I KNOW CUSTOMS IS WITH US ON THE SAME
	CHANNEL, AND EVEN IF THEY ARE NOT, I FEEL ASHAMED OF THE WAY
	S.O. CUERVO IS REPRESENTING US.

# **TO ALL APG PERSONNEL**

## **NO SMOKING**

**SMOKING IS PROHIBITED IN ALL ENCLOSED AREAS WITHIN NYCT AD GLOBAL WORKSITES WITHOUT EXCEPTION. THIS INCLUDES COMMON WORK AREAS, OFFICES, HALLWAYS, BREAKROOMS, STAIRS, RESTROOMS, VEHICLES, ALL GUARD BOOTHS AND SECURITY CONTROL CENTERS.**

**FAILURE TO COMPLY WITH THE COMPONENTS OF THIS POLICY WILL RESULT IN DISCIPLINARY ACTION THAT CAN LEAD UP TO AND INCLUDE TERMINATION.**

**DATE: 4/19/13**

*Tino Cuervo 11993 4/22/13 1:41 pm*

BJK:cl

cc. John Oates – PPGU – [Oates@PPGU.net](mailto:Oates@PPGU.net)  
Kenneth Karahuta – NYSA – [kkarahuta@NYSA.net](mailto:kkarahuta@NYSA.net) org  
Ray Gorski – PPGU – [Gorski@PPGU.net](mailto:Gorski@PPGU.net)  
Rich Ciampi – Lambos Firm – [Rciampi@Lambosfirm.com](mailto:Rciampi@Lambosfirm.com)



# **TO ALL APG PERSONNEL**

**RE: PROCEDURES FOR BREAKS & RELIEFS**

**DATE: 4/19/13**

All officers assigned to outbound gates must remain on post until the designated closing time-no earlier.

All officers are to verify and document authorization, to close a gate with the Roundsmen, Main Gate, or appropriate department prior to securing a gate. (Noting the time & authorizing party).

Officers are entitled to TWO twenty minute breaks per EIGHT hour shift. They are to note in their log or memo book their Post, Time In and Out of Break and the name of the relieving officer. NOT one forty minute break.

Should an emergent situation occur and an officer needs to leave their post and a Relief Officer is unavailable, they are to notify the Main Gate and/or Relief Officer.

They are then required to secure the gate with a chain & lock. They are to document the time on and off break in their memo or log.

They are then required to notify the Main Gate and Relief Officer that they are back on post. On various shifts man power is limited and duties and responsibilities must be carried out.

All officers are to verify and/or record the identification of those entering or leaving the facility. This includes but is not limited to Waterfront Commission License, TWIC, Sealink, or Company Identification.

Officers must thoroughly verify the identification numbers of outbound containers, noting the unit number as well as the chasis.

This must correspond with the gate pass, bill of lading or other documentation authorizing release of Containers or Cargo.

When in doubt, you MUST contact the FSO, Roundsmen or appropriate department for guidance and direction.

BJK:cl

*Tino Cuervo 11993 4/22/13 1:41 pm*

cc. John Oates – PPGU – [Oates@PPGU.net](mailto:Oates@PPGU.net)  
Kenneth Karahuta – NYSA – [kkarahuta@NYSA.net](mailto:kkarahuta@NYSA.net) org  
Ray Gorski – PPGU – [Gorski@PPGU.net](mailto:Gorski@PPGU.net)  
Rich Ciampi – Lambos Firm – [Rciampi@Lambosfirm.com](mailto:Rciampi@Lambosfirm.com)





## NYSA-PPGU PENSION FUND AND PLAN

889 BROADWAY, BAYONNE, NJ 07002-3032

TEL: (201) 243-0660  
FAX: (201) 243-0662

April 11, 2013

### ANNUAL FUNDING NOTICE For NYSA-PPGU PENSION FUND AND PLAN

#### Introduction

This Notice includes important funding information about your Pension Plan ("Plan"). This Notice is for the Plan Year beginning January 1, 2012 and ending December 31, 2012 (referred to hereafter as "Plan Year").

In addition, as required by federal law, this Notice provides a summary of federal rules governing multiemployer plans in reorganization and insolvent plans and benefit payments guaranteed by the Pension Benefit Guaranty Corporation (PBGC), a federal agency. However, please note, this Plan is not in reorganization or insolvent, nor is the PBGC making payments on behalf of the Plan.

#### Funded Percentage

The funded percentage of a plan is a measure of how well that plan is funded. This percentage is obtained by dividing the plan's assets by its liabilities on the valuation date for the Plan Year. In general, the higher the percentage, the better funded the plan. The Plan's funded percentage for the Plan Year and two preceding Plan Years is set forth in the chart below, along with a statement of the value of the Plan's assets and liabilities for the same period.

	2012 Plan Year	2011 Plan Year	2010 Plan Year
Valuation Date	January 1, 2012	January 1, 2011	January 1, 2010
Funded Percentage	67.1%	66.8%	64.9%
Value of Assets	\$19,182,000	\$18,686,000	\$17,760,000
Value of Liabilities	\$28,578,000	\$27,952,000	\$27,380,000

#### Fair Market Value of Assets

Asset values in the chart above are actuarial values, not market values. Market values tend to show a clearer picture of a plan's funded status as of a given point in time. However, because market values can fluctuate daily based on factors in the marketplace, such as changes in the stock market, pension law allows plans to use actuarial values for funding purposes. While actuarial values fluctuate less than market values, they are estimates. As of December 31, 2012, the unaudited fair market value of the Plan's assets was \$20,925,858. As of December 31, 2011, the audited fair market value of the Plan's assets was \$18,650,308. As of December 31, 2010, the audited fair market value of the Plan's assets was \$18,439,783.

#### Participant Information

The total number of participants in the Plan as of the Plan's January 1, 2012, valuation date was 539. Of this number, 222 were active participants, 260 were retired or separated from service and receiving benefits, and 57 were retired or separated from service and entitled to future benefits.

#### Funding & Investment Policies

The law requires that every pension plan have a procedure for establishing a funding policy to carry out the plan objectives. A funding policy relates to the level of contributions needed to pay for benefits promised under the plan currently and over the years. The Plan is funded by contributions made by employers pursuant to collective bargaining agreements with the union that represents the Plan's participants. The funding policy of the Plan is to provide benefits to participants at levels that are expected (based upon reasonable actuarial assumptions) to be sustained in the long term from the assets of the Plan, expected income from the investment of those assets and future employer contributions.

Once money is contributed to the plan, the money is invested by plan officials called fiduciaries (Trustees). Specific investments are made in accordance with the plan's investment policy. Generally speaking, an investment policy is a written statement that provides the fiduciaries that are responsible for plan investments with guidelines or general instructions concerning various types or categories of investment management decisions. In brief, the investment policy of the Plan is to maximize investment returns within prudent levels of risk through portfolio diversification across different classes of assets and a variety of asset management styles. With the assistance of an Investment Consultant, the Trustees select professional Investment Managers and allocate the assets of the Plan to seek to achieve the stated investment objectives and to control risk. The Trustees establish reasonable guidelines for each asset class and investment account, specifying acceptable and/or prohibited investments, limits on asset and asset class exposures, risk constraints and investment return objectives. The Trustees have also adopted benchmarks for each Manager and each asset class and regularly monitor the performance of each Manager as well as each Manager's compliance with the Investment Policy.



## NYSA-PPGU PENSION FUND AND PLAN

889 BROADWAY, BAYONNE, NJ 07002-3032

TEL: (201) 243-0660  
FAX: (201) 243-0662

April 11, 2013

### Notice of Endangered Status For NYSA-PPGU Pension Fund and Plan

To: All Participants, Beneficiaries, Contributing Employers and Port Police & Guards Union,  
Local 1456

This Notice is required to be sent to you as a result of a Federal law known as the Pension Protection Act of 2006 (PPA) which became effective as to this Fund during the latter part of 2007.

We understand that legally required notices, like this one, may create anxiety and concern about the Pension Fund's future. The Board of Trustees are currently of the opinion that the Fund will continue to provide its participants and their eligible beneficiaries with secure retirement benefits.

#### PPA Requirements

The PPA has added requirements for measuring the financial health of multiemployer plans such as ours. Starting with the 2008 Plan Year, the PPA required that a pension fund's actuary determine annually the fund's status under these new rules and to certify that status to the IRS and the trustees (plan sponsor). It is important to note that if the fund's status for a plan year is "endangered" ("yellow" zone) or "critical" ("red" zone), the trustees *must* notify all plan participants in writing of this certification, as well as take corrective action to improve the financial health of the plan.

#### Endangered Status

This letter will serve as the Notice that our Pension Fund's actuary recently determined and certified that the Fund is in "endangered" status for the 2013 Plan Year. This determination was made because, based on the PPA's new funding measures, the Fund is currently less than 80% funded. "*Endangered*" is a label that the law requires us to use.

The law also mandates that any pension fund in "endangered" ("yellow" zone) status must adopt a "Funding Improvement Plan" (FIP). The FIP is an action plan designed to significantly

(Over Please)

#### Right to Request a Copy of the Annual Report

A pension plan is required to file with the US Department of Labor an Annual Report, Form 5500, containing financial and other information about the Plan. Copies of the Annual Report are available from the US Department of Labor, Employee Benefits Security Administration's Public Disclosure Room at 200 Constitution Avenue, NW, Room N-1513, Washington, DC 20210, or by calling 202-693-8673. Alternatively, you may obtain a copy of the Plan's Annual Report by making a written request to the Board of Trustees. The Annual Report for the 2012 Plan Year will be available later this year.

#### Summary of Rules Governing Plans in Reorganization and Insolvent Plans

Federal law has a number of special rules that apply to financially troubled multiemployer plans. Under so-called "plan reorganization rules," a plan with adverse financial experience may need to increase required contributions and may, under certain circumstances, reduce benefits that are not eligible for the PBGC's guarantee (generally, benefits that have been in effect for less than 60 months). If a plan is in reorganization status, it must provide notification that the plan is in reorganization status and that, if contributions are not increased, accrued benefits under the plan may be reduced or an excise tax may be imposed (or both). The law requires the plan to furnish this notification to each contributing employer and the labor organization.

Despite the special plan reorganization rules, a plan in reorganization nevertheless could become insolvent. A plan is insolvent for a plan year if its available financial resources are not sufficient to pay benefits when due for the plan year. An insolvent plan must reduce benefit payments to the highest level that can be paid from the plan's available financial resources. If such resources are not enough to pay benefits at a level specified by law (see Benefit Payments Guaranteed by the PBGC, below), the plan must apply to the PBGC for financial assistance. The PBGC, will, by law, loan the plan the amount necessary to pay benefits at the guaranteed level. Reduced benefits may be restored if the plan's financial condition improves.

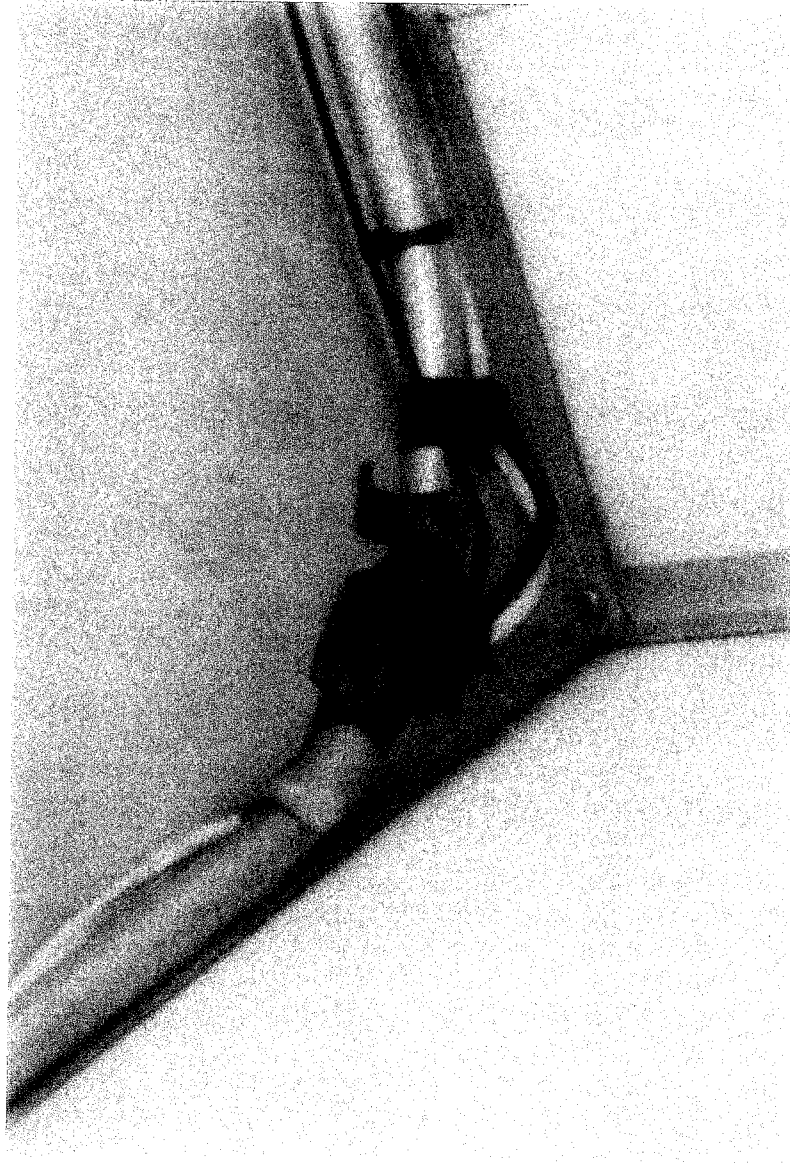
A plan that becomes insolvent must provide prompt notification of the insolvency to participants and beneficiaries, contributing employers, labor unions representing participants, and the PBGC. In addition, participants and beneficiaries must also receive information regarding whether, and how, their benefits will be reduced or affected as a result of the insolvency, including loss of a lump sum option. This information will be provided for each year the plan is insolvent.

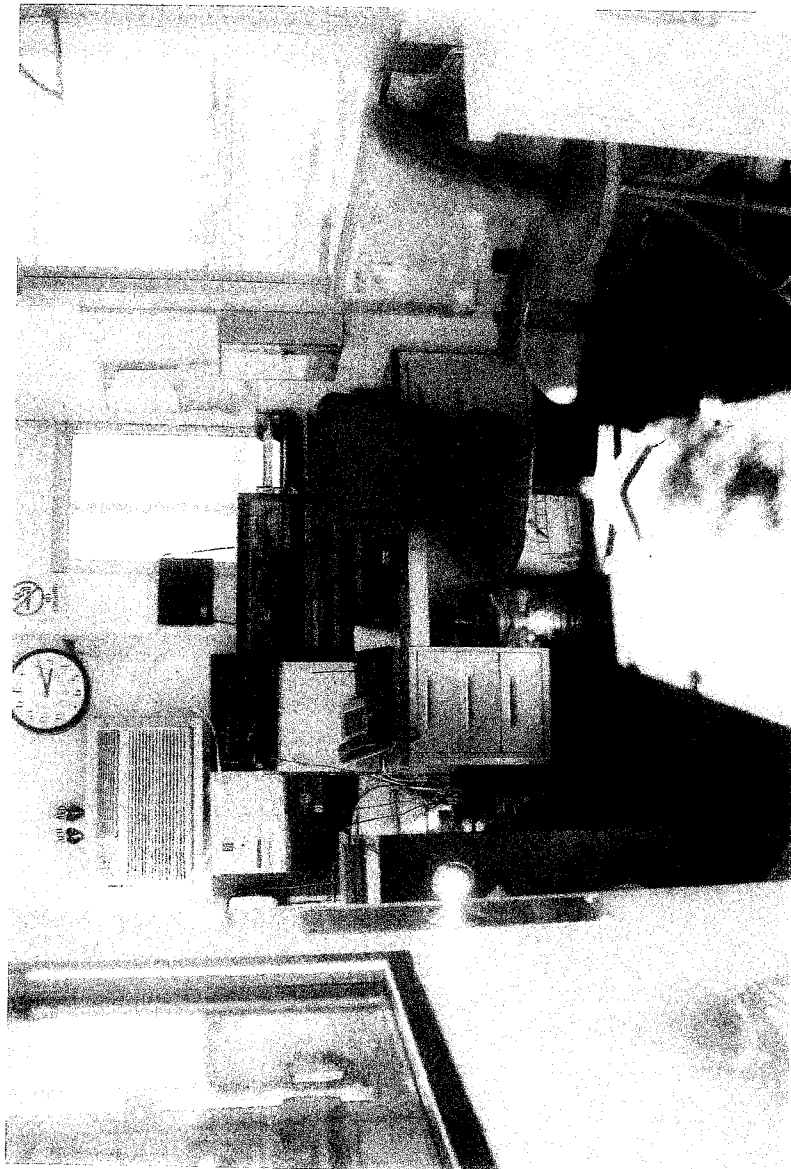
**As stated earlier, the Plan is not in reorganization nor is it insolvent.**

#### Benefit Payments Guaranteed by the PBGC

The maximum benefit that the PBGC guarantees is set by law. Only vested benefits are guaranteed. Specifically, the PBGC guarantees a monthly benefit payment equal











3/11/13

Tino Cuervo  
36 Hawthorne Place, Apt. 5R  
Montclair, New Jersey 07042  
Cell#: 862-686-1993  
Home#: 973-707-2233

Supreme Court of New Jersey  
District Ethics Committee  
For Middlesex County  
District VIII  
1918 Highway 27  
P.O. Box 593  
Edison, New Jersey 08818

To Whom It May Concern:

On Tuesday 10/10/12, Stephanie Girona an attorney contracted by Brian Kelly of Asset Protection Group (APG), was summoned to Global Terminal in Jersey City, to conduct an internal investigation. The premise of the investigation that I was apprised of, was that there was a hostile work environment due to port-watchman (guards) bandying about rumors about other guards. Although I agree that the employer, APG, has the legal right to conduct an internal investigation, it is the premise that I question. If the premise was a hostile work environment as prescribed above, then allow me to state some facts. To begin with, Global Terminal encompasses 178 acres which is monitored by 24/7 security. That 24/7 security contains 3 shifts: 8am-4pm, where during this shift some posts start earlier than 8am, 4pm-12am, and 12am-8am. However, Ms. Girona summoned no more than 6 guards to be interviewed. In total, all shifts include 20-24 guards, and I now argue if the premise for this investigation was a hostile work environment, then all guards on all shifts needed to be interviewed. The reason is quite evident; a hostile work environment encompasses 178 acres and envelops all guards on all shifts, yet only a handful of guards were summoned to testify, calling in to question the initial premise for the internal investigation. Also, it is my understanding that the others that were summoned were given varying assertions to why they were being questioned. In my estimation that rises to a level of an ethics violation. In essence you're compelling people to testify under false pretenses. In addition, if the assertion is to be believed, than why was I summoned to testify four times? I was summoned on Tuesday 10/10/12, Wednesday 10/11/12, and again on Wednesday 10/17/12 where I requested a lawyer and told I could have my Union Rep, recalled on Thursday 10/18/12, and on Friday 11/16/12 where I informed Ms. Girona I was not going to answer any questions, where my Union Rep, Raymond Gorski, ended the investigation. Also, Ms. Girona had no prior knowledge of the names of the staff that were employed at Global Terminal, so I am curious to ascertain how Ms. Girona acquired the list of guards to interview. I would deduce that the list was provided by Brian Kelly, President of APG, adding a charge of bias to this grievance. The term fruit from the poisoned tree comes to mind. I will

list the names and cell numbers of guards, to my knowledge were interviewed by Stephanie Girona. You are welcomed to call them to confirm the basis' to which they were questioned.

Martin Lotan – 347-607-9006

Stephanie Brooks – 973-870-6162

Martin Vancol – 973-393-0425

Also listed:

Asset Protection Group

116 North Broadway, 2<sup>nd</sup> Fl.

South Amboy, New Jersey 08879-1671

732-553-1520

Brian Kelly – President

Dennis Kelly – Owner of APG

NYSA-PPGU Local 1456

889 Broadway

Bayonne, New Jersey 07002-3032

201-823-9050

John T. Oates – President

Paul Punturieri – Vice-President

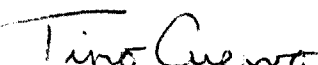
Raymond Gorski – Secretary-Treasurer/Business Agent

Mohamed Arbab – Recording Secretary

Eric Rasmussen – Sergeant-of-Arms

I am well aware that Ms. Girona has the right to face her accuser, and have I have no compunction whatsoever to satisfy her requisite. Thank you for your time and consideration.

Sincerely,

  
Tino Cuervo

**2/20/13**

**Tino Cuervo  
36 Hawthorne Place, Apt. 5R  
Montclair, New Jersey 07042  
Cell#: 862-686-1993  
Home#: 973-707-2233**

**National Labor Relations Board  
Section 22  
20 Washington Place, 5<sup>th</sup> Floor  
Newark, New Jersey 07102-3115**

**To Frank Flores:**

**Enclosed you will find a grievance I filed with Local 1456 on retaliation, harassment and intimidation. In reading the grievance you will see it is outlined in detail on the aforementioned charges. Also enclosed is a copy of a journal or for a better lack of a word, a black book. It is number 2, there is another black book, but I have no clue where that book is. I highlighted an entry found on page 7 and another on page 12 which would corroborate harassment. You will also find a list of names of guards that were either terminated or served suspensions. The relevance of this list is that it is limited to the two terminals that the security is contracted out to Brian Kelly of APG, and these suspensions and terminations take place within in a six year time frame. The two terminals are New York Container Terminal in Staten Island and Global Terminal in Jersey City. The ratio of these two terminals is more than all the other terminals combined in the same time period. What is the significance of this? Why such an anomaly? You will find the answer in the more than business like relationship between the President of Local 1456, John Oates and Brian Kelly of APG. I do not know Frank, how far your authority extends. Is it in your realm to request that John Oates, President of the Union submit an affidavit, or Brian Kelly, or Samir Ghaly my Roundsman? If so I would like to submit to you some questions you might want to ask.**

**In the case of John Oates:**

- 1) How many terminals does he represent and how many guards?**
- 2) Why the disparity in the ratio of New York Container Terminal in Staten Island and Global Terminal in Jersey City and the rest of the terminals?**
- 3) Did he ever go on an all expense paid trip to Las Vegas on Brian Kelly?**

- 4) Junkets to Atlantic City with Brian Kelly?
- 5) How about golf outings?
- 6) What is the importance of Café Bello?

If it is in your jurisdiction, gauge his reaction through body language and facial expressions. In the case of Brian Kelly and Samir Ghaly, ask them if they know the existence of the journals without telling them you have a copy. I would like to see if they would lie on the record. I already have proof that Brian Kelly lied at my grievance hearing.

In closing, I know Frank you will notify me whether I have anything substantial that the NLRB has jurisdiction with. Thanking you again for all your assistance.

Sincerely,

Tino Cuervo

5/1/13

Tino Cuervo  
36 Hawthorne Place, Apt. 5R  
Montclair, New Jersey 07042  
Cell#: 862-686-1993  
Home#: 973-707-2233

Greg Mocker  
WPIX-TV  
220 East 42<sup>nd</sup> Street  
New York, NY 10017  
212-210-2411

Dear Mr. Mocker:

Enclosed you will find a detailed extensive paper trail for your perusal. It is a tail of discrimination, intimidation, on the job harassment, and a creation of a hostile work environment where guards act as informants against their fellow workers. When you conclude your reading assignment, you will also find a trail of corruption where all the aforementioned parties in these reports act in collusion with each other. Now Mr. Mocker, you might draw the conclusion that I am forwarding you all these documents to expose this travesty, to draw attention to all the guilty parties, and you would be right. However, my plan called for exposure at a later time frame, not so early in the game. Unfortunately, it was the decision of the EEOC that forced me to move up my timetable. I presented the EEOC with witnesses that could corroborate my allegations, yet when I checked back with those individuals the EEOC never contacted them. The EEOC failed to perform their due diligence. I expected that, no, knew for a fact that NYSA-PPGU Seniority Board, my Local 1456 and APG would never follow through. However, I thought better of the EEOC and they are the agency I want exposed for failure to perform their job. I want them to be publicly vilified to the point that they re-open the case they slotted for dismissal. Even though I am a conspiracy theorist from way back when and Brian Kelly has a vast array of connections he has used, the reason for the EEOC's dismissal is simplistic. They did not want to do the work. I had witnesses and their cell numbers and a longer list without numbers, and that meant groundwork, something they obviously did not want to venture into. Instead they handed it off to me on a self help



how to file a lawsuit letter. If you should need further information I will leave my name and number to assist you.

Tino Cuervo  
36 Hawthorne Place, Apt. 5R  
Montclair, New Jersey 07042  
Cell#: 862-686-1993  
Home#: 973-707-2233

To demonstrate the campaign of retaliation and harassment against me I will list the days I was interrogated:

Stephanie Gironda attorney for Brian Kelly of APG:

- 1) Tuesday 10/10/12
- 2) Wednesday 10/11/12
- 3) Wednesday 10/17/12 postponed because I requested for lawyer got my union rep
- 4) Thursday 10/18/12 rescheduled from Wednesday 10/17/12
- 5) Friday 11/16/12 where I refused to answer any more questions and my union rep ended it
- 6) Monday 2/11/13 interviewed by Mark Riggio, Director of Operations APG
- 7) Tuesday 2/28/13 interviewed by Alfred Feliu EEO Officer contracted out by Local 1456 and APG
- 8) Monday 3/4/13 interviewed by an ex FBI agent who is in the employment of APG, cannot recall his name
- 9) Thursday 4/4/13 interviewed again by Mark Riggio

These offenses have occurred at two terminals, Global Terminal, where I have been working for over six years, and New York Container Terminal.

Global Terminal  
302 Port Jersey Blvd.  
Jersey City, NJ 07305  
201-451-5200

New York Container Terminal  
300 Western Avenue  
Staten Island, NY 10303  
718-273-7000/718-568-1700

I cannot say for sure Mr. Mocker that this is a story that might pique your interest, but it is a story that I know must be told. So I will take this time to thank you for your time and consideration and for the work you do so well.

Sincerely,

Tino Cuervo

**12/3/2012**

**Tino Cuervo  
36 Hawthorne Place, Apt. 5R  
Montclair, New Jersey 07042  
Cell #: 862-686-1993  
Home #: 973-707-2233**

**National Labor Relations Board  
Region 22  
20 Washington Place – 5<sup>th</sup> Floor  
Newark, New Jersey 07102**

**Attn: Information Officer**

**As per my phone conversations with your office, I am forwarding the formal paperwork necessary to file charges against the parties outlined in the documents. Enclosed along with said paperwork is a copy of the grievance that protocol mandates that I file with my union. It would serve your office to supply more details on the nature of the charges. You will also find pictures I took of the spy camera located at the Main Gate at Global Terminal. I will now list names of those that were terminated outlined in said charges.**

- 1) Spencer St. Juliette**
- 2) Amghad Ghaly**
- 3) Isis Youssef**
- 4) James Webb**
- 5) Lazaro Garcia**
- 6) Al Tariq Jackson**
- 7) Stephanie McKelvin**
- 8) Robert Puchalski – resigned under duress**

**I will also list the names that can bear witness to a conversation held discussing a violation of security protocol and the violation itself.**

- 1) Manal Saleh**
- 2) Ronald Coleman**

- 3) Stephanie Brooks**
- 4) Tino Cuervo – person filing charges**

**I respectfully request a full hearing on this matter and I would like these individuals present to answer questions.**

- 1) John Oates – President NYSA-PPGU**
- 2) Raymond Gorski – Secretary-Treasurer/Business Agent NYSA-PPGU**
- 3) Brian Kelly – President APG**
- 4) Stephanie – Attorney for APG and all the paperwork she gathered in her investigation**

**I am asking that this matter be expedited at your earliest convenience. Thanking you in advance for your time and consideration**

**Sincerely,**

**Tino Cuervo**

2/20/13

Tino Cuervo  
36 Hawthorne Place, Apt. 5R  
Montclair, New Jersey 07042  
Cell#: 862-686-1993  
Home#: 973-707-2233

Office of Labor Management Standards  
190 Middlesex/Essex Turnpike  
Iselin, New Jersey 08830

To Whom It May Concern:

Enclosed you will find, for a lack of a better phrase, a paper trail illustrating the corruption that permeates the union that represents myself and all port-watchman at the ports in New York and New Jersey. I am talking about NYSA-PPGU Local 1456, whose President is John T. Oates and the Secretary-Treasurer/Business Agent is Raymond Gorski. You will find complaints that I filed with the National Labor Relations Board, Equal Employment Opportunity Commission and the Division of Civil Rights. Also included are several grievances that I filed with the Union. It would be advantageous for your office to read all the documents in their entirety to grasp the corruption that has metastasized into a cancer that has become uncontrollable. I will also like to add misappropriation of union dues, tapping into the pension fund, quid pro quo, and I am sure if you do your due diligence, you will find a whole range of questionable activities to charge Local 1456. The favorite meeting place for their not so clandestine meetings is Café Bello on the corner of 50<sup>th</sup> Street on Avenue C in Bayonne, New Jersey. I would like to take the time to thank you for your time and consideration and any further questions that might arise, I am completely at your disposal

Sincerely,

Tino Cuervo



## **NYSA – PPGU SENIORITY BOARD**

889 BROADWAY • BAYONNE, NJ 07002-3032  
TELEPHONE 201-823-9050 • FAX 201-243-0662

**First Class Mail**

**March 21, 2013**

**Mr. Tino Cuervo  
36 Hawthorne Place  
Montclair, New Jersey 07042**

**Re: Grievance Hearing**

**Dear Mr. Cuervo:**

**On Wednesday, March 13, 2013, the NYSA-PPGU Seniority Board (Board) held a hearing regarding your grievance dated February 20, 2013, and received by this office on the same date (copy attached).**

**The Board determined, after hearing testimony from you and Brian Kelly, the President of Asset Protection Group (APG), that your grievance encompasses six topics. It also determined that all of your complaints revolve around your disagreement with the selection of the current Roundsman.**

**After reviewing all of the evidence, the Seniority Board determined as follows:**

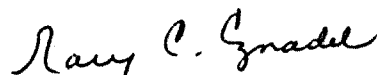
- 1. That your grievance relating to alleged discrimination, harassment and intimidation by APG and your Roundsman is not properly before this Board. You were referred to the Respect & Dignity policy of the CBA and advised to file a complaint with the industry retained independent EEO Officer. You were also advised where to obtain complaint forms;**
- 2. That your grievance relating to a violation of the Seniority Article on Monday, January 21, 2013, is denied. The Board examined the hiring on Martin Luther King, Jr. Day and determined that the hiring on that date was appropriate;**
- 3. That your unsupported grievance charging your Roundsman with dereliction of duties is denied;**
- 4. That your grievance regarding the use of a "black book" to record employee activities is denied. Your Roundsman and employer have the unrestricted right**

to record information about a Security Officer's work activities. The Board also determined that you had refused work on February 20, 2013. In addition, it noted that you had left your position early on more than one occasion. You are hereby advised that if you leave your post early in the future without authorization, it may result in the termination of your employment;

5. That your grievance relating to a meeting on February 11, 2013, is denied. A pier level meeting is required under the current collective bargaining agreement. The Board found that the purpose of the February 11 meeting was to resolve the dispute that arose on January 22, 2013, and you confirmed at the hearing that the matter was settled to your satisfaction on that date; and
6. Finally, the Board determined that all of your grievances derive from APG's selection of its Roundsman. While you may not be pleased with APG's selection, Article VII, Section 2, provides that an Employer has "the right to appoint a Roundsman...." Consequently, while you may not like APG's selection, you must accept its selection and work with your Roundsman.

You have the right to appeal this decision to NYSA-PPGU Labor Relations Committee by mailing your request for an appeal, or by delivering your request for an appeal in person, to the Secretary of the Seniority Board at the above address no more than fourteen (14) days after the date of this letter.

Very truly yours,



Mary Cznadel, Secretary  
NYSA-PPGU Seniority Board

cc: Kenneth Karahuta – NYSA  
Michael Del Viscovo – Maher Terminals  
Joseph Farley - Maher  
Brian Kelly – APG  
John T. Oates – PPGU  
Raymond T. Gorski – PPGU  
Richard J. Ciampi, Esq.  
Stephen Davis, Esq.  
Joy M. Holz, Esq.

3/24/13

**NYSA-PPGU  
889 Broadway  
Bayonne, New Jersey 07002-3032  
201-823-9050**

**John Oates – President  
Paul Punturieri – Vice-President  
Raymond Gorski – Secretary-Treasurer/Business Agent  
Mohamed Arbab – Recording Secretary  
Eric Rasmussen – Sergeant-of-Arms**

**Dear Mr. Gorski:**

**This is a formal letter of appeal for the grievance dated February 20, 2013. This appeal is based on inconsistencies in the Seniority Board's decision dated March 21, 2013. To begin with at no time did I mention a violation of the Seniority Article based on the Martin Luther King Holiday. What I stated was that Roundsman Samir Ghaly violated the Seniority Article by posting a guard who already had a posted position, to an unassigned post. That is in direct conflict with the Seniority Article. I charge the NYSA Seniority Board with undue bias in favor of Brian Kelly of APG. At no time did the Seniority Board investigate whether Brian Kelly was being candid about the security cameras, even after I told them that Facility Maintenance at Global Terminal had contradicted Brian Kelly's version by stating the spy cameras belonged to APG. They totally ignored the charge and were derelict in their duty to investigate the allegation; rather they failed to scrutinize which party was being forthright. Nor did they investigate whether Samir Ghaly was derelict in his duty as Roundsman when he failed to notify me of the time that the Outbound Gate B closed. Since that was the first time I had ever worked that gate I had no prior knowledge of that gate's nuances. Since the Seniority Board did not perform its due diligence to investigate the allegations, I therefore charge the Board with acting in concert with Brian Kelly because of their more than business like relationship with him. I also charge the Board in acting with extreme prejudice by lodging false accusations that I left my post early on more than one occasion. I left my post early on one occasion, so I now challenge the Seniority Board to provide verifiable evidence to that allegation or retract the charge I left my post early on more than one occasion.**

**Your steadfast response on this matter would be greatly appreciated.**

Sincerely,

  
Tino Cuervo



01/10/2013

Tino Cuervo  
36 Hawthorne Place, Apt. 5R  
Montclair, New Jersey 07042  
Cell#: 862-686-1993  
Home#: 973-707-2233

Craig Sashihara – Director  
Division of Civil Rights  
31 Clinton Street  
Newark, New Jersey 07102

Dear Director Sashihara,

I was referred to the Division of Civil Rights by Frank Flores an investigator for the National Labor Relations Board. He can be reached at 973-645-6050 if there need be any further clarification. Mr. Flores informed me that there are certain issues that the NLRB does not handle, therefore, this filing of a formal complaint letter along with the Pre-Intake Questionnaire. I, Tino Cuervo, charge Brian Kelly of Asset Protection Group (APG) for discrimination based on race, harassment, and creating a hostile work environment. You will find the charges in detail in the grievance dated and filed on 11/19/12 and enclosed with this complaint. The charges are outlined on page one, first paragraph and page two, fifth paragraph. Also enclosed is a second grievance that was filed on 12/4/12 and though I know that this does not fall under your jurisdiction, I enclosed it to give you some context on the machinations of Global Terminal and its offending parties. Included you will find the complaint I filed with the NLRB, the list of offending parties, two letters of suspension to which I have yet served, and pictures of the spy cam used as a method of intimidation and harassment. I will now list the names of individuals that were terminated at Global Terminal and New York Container Terminal, and those that were suspended or facing suspension or termination based on retaliation. Those whose cell numbers I supply can be contacted to corroborate my charges.

- 1) Al Tariq Jackson – African-American, terminated
- 2) Francesca Coleman – African-American, terminated
- 3) Stephanie McKelvin – African-American, terminated
- 4) Ronald Bingham – African-American, terminated
- 5) Lazaro Garcia – Hispanic-American, terminated
- 6) Spencer St. Juliette – African-American, terminated cell# 267-974-4382

- 7) Martin Lotan – African-American, serving suspension cell# 347-607-9006
- 8) Martin Vancol – African-American, suspension pending cell# 973-393-0425
- 9) Stephanie Brooks – African-American, out on disability, suspension pending cell# 973-870-6162
- 10) Carmen Delgado – Hispanic-American, served 25 day suspension cell# 347-476-2534
- 11) Tino Cuervo – Hispanic-American and grieving party, suspension pending cell# 862-686-1993

Because the union NYSA-PPGU has been acting in collusion with Brian Kelly of APG, Mr. Kelly is empowered to act with complete impunity and malice. To give you some perspective, NYSA-PPGU represents about 200 Port-Watchmen in New York and New Jersey. Yet the ratio of terminations and suspensions on the ports that is contracted out to Mr. Kelly of APG (Global Terminal, New York Container Terminal) is more than all the other ports in New York and New Jersey combined. I feel the reason for this disparity is the more than business relationship between Brian Kelly of APG and John Oates, President NYSA-PPGU.

In closing, I respectfully request that your office take up this matter and fully investigate it to a concrete conclusion. Anyone with juris-prudence could smell the stench of corruption that permeates throughout all the entities listed. I would like to thank you for your time and consideration. If you need for me to come in to your office to formally file these complaints or you need further clarification I am at your disposal.

Sincerely,

Tino Cuervo

## STATEMENT OF TINO CUERVO

I am a member of Local 1456 of the Port Police & Guards Union and am employed by APG Security. I was interviewed on February 26, 2013 by the Port's EEO Officer, Alfred G. Feliu, relating to a complaint filed by Samir Ghaly. This Statement is an accurate summary of that interview.

Sammy constantly yells at those that he is supposedly supervising and displays no respect for those individuals. He is always looking to see if you are doing your job. He has other guards who act as informants or spies for him, creating a hostile work environment and an atmosphere of harassment and bias. In one instance, Mr. Konna reported me for being eight minutes late to my post.

I remember one incident where he claimed I closed the gate early. The problem was his fault because he did not put me on notice as to when the gate was to be closed. It is not my job to ask anyone what time the gate closes, to call him or to check up on that. It is his job as roundsman to inform any and all guards of their duties of the posts they are being assigned to. Sami was and is derelict in his duty as roundsman, he is completely incompetent to hold that position. He is unable to think on his own, therefore there are others that pull his strings.

He does not respect the workers and there is no one that respects him, a problem if you are expected to motivate those who are under you. None of the longshoremen like or respect Sami. Others who would agree are Carmen Delgado, Martin Vancol, Martin Lotan, Stephanie Brooks, and Richie Manetto.

I plan to file grievances against Sammy for not following seniority. He is not filling jobs based on seniority and is not posting jobs appropriately.

I did not discriminate against Sammy because of his race or national origin. My problem with Sami is his gross incompetence and his inability to relate to those under him with respect, dignity, and equality.

I have reviewed this Statement and have been given a chance to revise it. It is fully accurate and truthful to the best of my knowledge.

3/17/13  
Date

Tino Cuervo  
Tino Cuervo



**Asset Protection Group**

**DATE:** 10/23/12  
**TO:** TINO CUERVO – WFC #11993  
**FROM:** BRIAN KELLY *BJK*  
**RE:** 1. LEAVING FACILITY BEFORE END OF SHIFT WITHOUT PERMISSION  
2. INSUBORDINATION

On 10/15/12 you signed out in the log book at 3:40 pm. You were scheduled to work until 4:00 pm. You failed to ask for permission or advise your Roundsmen.

On 10/17/12 you acknowledged to this writer and our legal counsel when advised it was against the Rules and Regulations you stated, "I know".

You were then advised not to return for duty on 10/18/12. As a result of a prior agreed upon suspension for impeding a prior investigation and tampering with a video surveillance device, you stated, "no way, I'm coming in". You were again ordered not to come in. Your reply was, "you can't stop me I'm coming in". You were then advised that if you did, the WFC Police would be notified if necessary to have you removed from the facility.

Your demeanor was hostile and insubordinate.

Your continued disregard for Rules and Regulations will not be tolerated.

You will serve a five (5) day suspension at the discretion of APG.

BJK:ic

cc. John Oates – PPGU – [Oates@PPGU.net](mailto:Oates@PPGU.net)  
Kenneth Karahuta – NYSA – [kkarahuta@NYSAnet.org](mailto:kkarahuta@NYSAnet.org)  
Ray Gorski – PPGU – [Gorski@PPGU.net](mailto:Gorski@PPGU.net)  
Rich Ciampi – Lambos Firm – [Rciampi@Lambosfirm.com](mailto:Rciampi@Lambosfirm.com)

## **NYSA-PPGU LABOR RELATIONS COMMITTEE**

889 Broadway, Bayonne, NJ 07002-3032 (201) 243-0660  
333 Thornall Street, Suite 3A, Edison, NJ 08837 (732) 452-7800

**First Class Mail**

**March 21, 2013**

**Mr. Tino Cuervo  
36 Hawthorne Place  
Montclair, New Jersey 07042**

**Re: Appeal of January 23, 2013 Seniority Board Decision**

**Dear Mr. Cuervo:**

On Wednesday, March 13, 2013, the NYSA-PPGU Labor Relations Committee (LRC) heard your appeal of the NYSA-PPGU Seniority Board's (Seniority Board) decision of January 23, 2013 (copies of the decision and your appeal are attached).

You had previously requested a transcript of the hearing held before the Seniority Board. During the appeal, you were advised that the Seniority Board does not maintain a transcript of grievance hearings, only minutes, and that those minutes are available only to Seniority Board and LRC members.

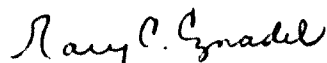
In relation to your appeal, you advised that you were appealing Determinations 1 and 6 of the Seniority Board's decision.

In regard Determination 1, the LRC concluded that no new evidence was supplied to support your allegation that APG owned the security camera. Moreover, APG denied your allegation. Consequently, the LRC upheld the decision of the Seniority Board and denied your appeal as to Determination 1.

In regard to Determination 6, the LRC upheld the decision of the Seniority Board that the grievance was time-barred and denied your appeal as to Determination 6.

The decision of the LRC is final and binding.

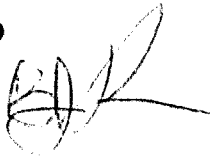
Very truly yours,



**Mary Cznadel, Secretary**

cc: Kenneth Karahuta – NYSA  
Michael Del Viscovo – Maher  
Joseph Farley – Maher  
Brian Kelly – APG  
John T. Oates – PPGU  
Raymond T. Gorski – PPGU  
Richard Ciampi, Esq.  
Stephen Davis, Esq.  
Joy M. Holz, Esq.

**Asset Protection Group**

**DATE:** 10/20/11  
**TO:** TINO CUERVO  
**FROM:** BRIAN KELLY   
**RE:** TAMPERING WITH VIDEO SURVEILLANCE EQUIPMENT  
IMPEDING AN INVESTIGATION

Be advised your actions during the period 10-4-11/10-7-11 were a serious violation of the Rules and Regulations of the Waterfront Commission, APG and the NYSA-PPGU Labor Agreement.

- Tampering with Company equipment.
- Impeding and interfering with an investigation.
- Your actions not only are irresponsible but placed the safety and welfare of your co-workers and Global Terminal at risk.

As a result you will be suspended for 30 days to be served at the discretion of the Company.


Please contact the PPGU for further guidance.

BJK:ic

cc. Kenneth Karahuta – NYSA –  
John Oates – PPGU –  
Ray Gorski – PPGU –  
Rich Ciampi – Lambos Firm –



**Asset Protection Group**

**DATE:** 2/14/13  
**TO:** TINO CUERVO  
**FROM:** BRIAN KELLY   
**RE:** INCIDENT OF 1/23/13 GLOBAL TERMINAL

On 1/23/13 you were assigned to the outbound gate at Global Terminal.

The gate was scheduled to remain open until 6:00pm; you closed the gate prior to 5:45pm. At which time acting roundsmen Andre Cyrague Arrived. When he questioned you as to why you closed the gate you began to yell and curse stating no one ever told you when the gate was to be closed.

On 1/24/13 when roundsmen Ghaly attempted to clarify your actions related to the above incident you again raised your voice stating "I'm tired of this shit."

You were assigned to this post on prior occasions and performed your duties without incidents including securing the gate at designated times.

The gate was scheduled to be open until 6:00pm and you were compensated until that time.

Closure of the gates prior to the time designated by the management of the terminal causes operational delays and places a burden upon other security check points.

In the future should an incident of this type occur please advise the main gate, roundsmen on duty, or the FSO for further guidance and direction.

Also be advised that loud or abusive language is unprofessional and will not be tolerated.

Respect and dignity towards co-workers is critical in fostering a positive atmosphere in the work place.

As per your prior experience serving as an interim roundmen at Global, I hope you can understand the need for proper communication and respect for your co-workers.

BJK:jc

cc. John Oates – PPGU – [Oates@PPGU.net](mailto:Oates@PPGU.net)  
Kenneth Karahuta - NYSA – [kkarahuta@NYSAnet.org](mailto:kkarahuta@NYSAnet.org)  
Ray Gorski – PPGU – [Gorski@PPGU.net](mailto:Gorski@PPGU.net)  
Rich Ciampi – Lambos Firm – [Rciampi@Lambos.com](mailto:Rciampi@Lambos.com)



DATE	NAME	WF #	TIME	
12-13-12	SELENA EL MILLS	12107	0800	MISSING TWO HOURS O.T. ON HER LAST CHECK WEEK 12-03-12 TO 12-09-12. PLEASE CORRECT ERROR
	MANAL SALEM	12113	0800	NEEDS FRIDAY 12-14-12 OFF
	MARTIN VANCOL	11966	0851	NEEDS TO LEAVE @ 1600 TODAY
	JOHN SAUL		1105	AFW FRIDAY 12-14-2012
	MANAL SALEM	12113	0800	AFW MONDAY 12-14-2012
	DONALD JOHNSON	11356	1140	ASKED FOR A BATHROOM BREAK (VIT)
	SELENA EL MILLS	12107	1155	ASKED FOR A BATHROOM BREAK (VIT)
	ASHRAF NASSIEF	11567	1243	NEEDS TO LEAVE @ 1600 TODAY
	MARTIN VANCOL	11966	1512	ASKED FOR A BATHROOM BREAK
	MARTIN VANCOL	11966	1523	HASN'T BEEN RELIEVED YET
	DONALD JOHNSON	11356	1534	ASKED FOR A BATHROOM BREAK
12-14-12	SELENA EL MILLS	12107	0800	NOT AV IN MONDAY 12-17-12 AND SHE'S MISSING TWO HOURS O.T. ON HER CHECK 12-3-12 TO 12-09-12
	ANDRE CYRIACQUE	12044	0825	NOT AV THIS WEEKEND
	JOHN SAUL		0827	AFW MONDAY 12-17-12
	JULIA VALDIVIA	11964	0830	AFW SATURDAY
	MARTIN VANCOL	11966	0833	AFW SATURDAY 1600-2400
	JAMES VALDES	12032	0834	AFW SUNDAY 12-16-12
	DONALD JOHNSON	11356	0845	AFW SAT+Sun - NO OVERNIGHT
	VITO GENTILE	12056	0853	AFW SUNDAY
	TINO CUERVO	11993	0915	ALWAYS AFW ON WEEKENDS
	ASHRAF NASSIEF	11567	0940	CLOSING HIS GATE FOR A BATHROOM BREAK
	ASHRAF NASSIEF	11567	1016	REQUEST FOR MONDAY OFF 12-16-12
	"	"	"	"
	ASHRAF NASSIEF	11567	1045	ASKED FOR A BATHROOM BREAK (Ante)
	DONALD JOHNSON	11356	1116	ASKED FOR A BATHROOM BREAK
	JULIA VALDIVIA	11964	1116	CALLED BACK TO ASK HIM TO USE HIS NAME
	MARTIN VANCOL	11966	1218	ASKED FOR A BATHROOM BREAK
	MARTIN VANCOL		1227	Nobody RELIEVED HIM YET (VIT ONLY)

DATE	NAME	WF.#	TIME	
12-17-12	Sharon Reed	12052	1326	NOT AV For Weekend
	<del>Sharon</del>			OF Monday
	Selena mills	12107	1333	Driver hit Salena
				Fence GATE D
	* Black JEEP SHOWING SOME SCRATCHES (bottom) P THE REAR BUMPER,			
	DURING S.O. GENTILE'S SHIFT, HE WAS NOT AWARE OF IT. SAMI ADVISED			
	HIM TO BE CAREFUL.			
	AMMED NABIL		1543	COVERING ASH'S PORTION OF MINUTES
12-16-12	ROBERTO BAHR	11753	0936	CALLED OUT SICK, <sup>as reported by</sup> S.O. VALDES
12-17-12	DONALD JOHNSON	11356	0426	CALLED OUT FOR TODAY & REASON
	JOHN WALKER	09587	0430	WILL NOT BE IN ON TUESDAY 12-18-12
	SELENA EL MILLS	12107	0229	NOT AV. FOR TUESDAY 12-18-12
	ROBERTO BAHR	11753	1000	CALLED OUT FOR TUESDAY 12-18-12
	JOHN SAUL	12154	1143	AFW TUESDAY 12-18-12
	JAMES VALDES	12032	1518	NEEDS TO BE RELIEVE FOR ABB
12-19-12	JOHN SAUL	12154	0805	AFW THURSDAY 12-20-12
	SELENA EL MILLS	12107	1105	AFW THUR + FRI + SUNDAY
				12-23-12, OVERNIGHT ONLY AND Monday 12-24-12 8-1600 ONLY
	JAMES VALDES	12032	1115	NOT AV. WEEKEND + Mon + Tue. 3X
	MANAL SALEH	12113	1120	NOT AV WEEKEND + Mon + Tue. 3X
	MANAL SALEH	12113	1330	NEEDS WED + THUR OFF 12-26 + 12-27
				AND SHE IS AVAILABLE ON FRIDAY 12-28-12
	ASHRAF NASSIEF	11567	1400	AFW WKD + Holiday 24/1
	MICHELE MESTOLO	12147	1533	CALLED FOR TIME
	SHARON REEDS	12052	1557	NOT AV WEEKEND + Mon + Tue
	E. LUTAK	11944	5:25	AFW SUN 12-23-12 11:00-12:25
12-20-12	SELENA EL MILLS	12107		AFW SUN 12-23-12 10-800 ONLY
				Monday 12-24-12 0800-1600 ONLY NOT AV. SAT 12-22 + TUE. 12-25.

DATE	NAME	WF.#	TIME	
12-20-12	NABIL AHMED			AFW SAT + SUN + MON + TUE
	VITO GENTILE			AFW SATURDAY 12-22 + TUE 12-24
	NOT AVAILABLE SUN + Monday		12-23-12 + 12-25-12	
	GARY BUSHNELL			NOT AV UNTIL WED. 12-26-12
	MICHELE MESTOLO	12147		AFW MON + TUE 12-24 + 12-25
	NOT AVAILABLE THIS WEEKEND			
	DAVID ROSE			NOT AV. UNTIL WED. 12-26
	MARTIN VANCELO	11966		NOT AV. UNTIL WED. 12-26
	REQUESTING FRIDAY	12-21-12	OFF	
	DONALD JOHNSON	11356		NOT AFW SAT 12-22-12 AND
	WED. 01-02-13. (Last Day working for the Co. 01-11-13)			
	ANDRE CYRIACQUE	12044		AFW Mon + Tue 12-24 + 12-25
	NOT AVAILABLE THIS WEEKEND			
	RICHARD MANETTO			NOT AV. Mon + Tue 12-24 + 12-25
	JOHN SAUL			AFW Friday 12-21-12
12-21-12	MICHELE MESTOLO	12147	0800	LEAVING @ 1600 TODAY
	DONALD JOHNSON	11356	0800	NEEDS TO LEAVE @ 1600 TODAY
	JOHN SAUL	12154	0820	AFW WEDNESDAY 12-26-12
	ANDREW TADROS	12140	0830	AFW WEDNESDAY 12-26-12
	ROBERT BAHR	11753	1245	WAS OFFERED SUN 0800-1600
	SHIFT BY SAMI. He TURNED IT DOWN			
12-26-12	John saul	12154	1050	AFW 12-27-12
	MARTIN VANCELO	11966	1135	NEEDS A BATHROOM BREAK
	VITO GENTILE	12056	1440	AFW SAT + Mon
	ASHRAF NASSIEF	11567	1442	AFW SAT + SUN + Mon + Tue
	JULIA VALDIVIA	11964	1445	AFW SAT + SUN + Mon + Tue
	SELENA EL MILLS	12107	1453	NEEDS A BATHROOM BREAK
	TINO CIVERVO	11993	1523	AFW Mon + Tue. NOT AV THIS WKD.
	MARTIN VANCELO	11966		AFW SAT 12-29 + Mon + Tue 12-30
				NOT AV. SUNDAY.

4.

DATE	NAME	WF #	TIME		DATE	NAME	WF #	TIME	
12-27-12	RICHARD MANETTO	11699	0800	NEEDS TO LEAVE @ 1600	1-3-13	JOHN SAUL	12154	0800	AFW 1-4-13
	ANDRE CYRIAGUE	12044	0800	NEEDS TO LEAVE @ 1600	1-3-13	SELENA ELMILLS	12107	0800	AFW Sunday 1-6-13 12 mid - 8am 8am - 4pm
	SELENA ELMILLS	12107	0800	AFW SUN 1-30-13 07:00-1600	1-3-13	ASHRAF NASSIEF	11567	1430	Asked For a Bathroom break
	SHE HAS ONLY 5 PAGES IN HER MEMO BOOK				1-3-13	MARTIN VANCOL	11966	1440	Asked For a Bathroom break
	ANDRE CYRIAGUE	12044	0930	NOT AV THIS WEEKEND					
	"	"	"	AFW MON + TUE 1-28 + 01-01					
	JOHN SAUL	12154	1215	AFW Friday 12-28-12	1-4-13	ANDRE CYRIAGUE	12044	0800	NEEDS TO LEAVE @ 1600
	MARTIN VANCOL	11966	1144	Asked for a Bathroom break	1-4-13	MARTIN VANCOL	11966	0800	NEEDS TO LEAVE @ 1600
	MARIAL SALEM	12113	1400	AFW Fri + Sat + Sun	1-4-13	MARTIN VANCOL	11966	0800	N.A.F.W. in the weekend
	E. LUTAK	11944	738	AFW SUN 1-30 12:30-1:31 PM	1-4-13	JAMES VALDES	12032	0800	NEEDS TO LEAVE @ 1600
					1-4-13	MICHELE MESTOLO	12147	10:01	AFW Monday 1-7-13
12-28-12	MICHELE MESTOLO	12147	0800	NEEDS TO LEAVE @ 1600	1-4-13	JAMES VALDES	12032	11:19	AFW Sunday
	JAMES VALDES	12032	0800	AFW Sunday	1-4-13	VITO GENTILE	12056	11:00	AFW Saturday
	MARTIN VANCOL	11966	0911	NEEDS TO LEAVE @ 1600	1-4-13	NABIL AHMED		11:33	AFW Sunday
	ROBERTO BAHR	11753	0800	Not av Tuesday 0-0800	1-4-13	ASHRAF NASSIEF	11567	14:18	NEEDS a Bathroom break
	JOHN SAUL	12154	1024	AFW WEDNESDAY	1-4-13	Marial Salem	12113	13:00	N.A.F.W. Monday 1-7-13
	MARIAL SALEM		1230	AFW SAT + SUN + Mon	1-4-13	ASHRAF NASSIEF	11567	13:00	Not A.F.W. Monday 1-7-13
1-2-13	JOHN SAUL	12154	8:53	AFW 1-3-13	1-4-13	DONALD JOHNSON	11356	1550	Needs Bathroom break
1-2-13	KOUNA		11:21	N.AFW 1-3-13	1-7-13	Richard Manetto	11699	09:48	Go to doctor and get SUI treatment -- call UNION and do what the say -- when you feel good than come back with letter -- as a soudsmen, I can't tell you what to do BFW
1-2-13	DONALD JOHNSON	11356	10:15	Asked For a Bathroom Break					
1-2-13	MARTIN VANCOL	11966	11:32	Asked For a Bathroom Break					
1-2-13	SELENA ELMILLS	12107	14:22	Asked For a Bathroom break					
1-2-13	ASHRAF NASSIEF	11567	14:22	Asked For a Bathroom break					
1-2-13	JAMES VALDES	12032	14:47	Asked For a Bathroom break					
1-2-13	RICHARD MANETTO		14:25	Asked For Bathroom break					
1-2-13	DONALD JOHNSON	11356	15:22	Asked For Bathroom break	1-7-13	DAVID DELISO	12139	10:48	Sammy speak to him and said bring letter from OR for full recovery
1-2-13	E. LUTAK	11944	8:02	AFW SUN 1-6-13 4X12					



DATE	NAME	WFA	TIME		DATE	NAME	WFA	TIME	
1-7-13	Veto G. Aik	12056	11:49	Emergency call - Sammi	1-10-13	SELENA ELMILLS	12107	1420	need a bathroom break.
1-7-13	MARTIN V.	11966	1:49	REST ROOM BREAK	1-10-13	ASHRAF NASSIEF	11567	1547	need bathroom break.
1-7-13	DON JOHNSON	11356	2:05	Need to leave at 4:00	1-11-13	ASHRAF NASSIEF	11567	1008	need a bathroom break.
1-7-13	Jim	12032	2:05	REST ROOM BREAK	1-11-13	SELENA ELMILLS	12107	1102	A.F.W. in the weekend
1-7-13	CARMEN D	11780	3:24	REST ROOM BREAK	1-11-13	ANDRE TADROWS		1102	A.F.W. weekend
1-7-13	MR. WU	11587	3:38	REST ROOM BREAK	1-11-13	ASHRAF NASSIEF	11567	1102	A.F.W. weekend
1-8-13	Martin Vance	11966	07:03	Notified by Sammi that Martin Vance arrived at his post outside gate 8 at 07:03 and showed in at 07:03	1-11-13	JOAN SAUL	12154	1400	A.F.W. weekend + Monday
1-8-13	HONNA		10:35	NOT AFW 1/11/13	1-11-13	MARTIN VANCE	11966	1528	need a bathroom break
1-8-13	JOHN SAUL	12154	11:35	AFW WED 1/11/13	1-11-13	ASHRAF NASSIEF	11567	1500	need to leave @ 1600
1-8-13	DON JOHNSON	11356	1:22	WAS TO LEAVE AT 5PM	01/14/13	SELENA ELMILLS		0240	call-out because her foot swollen
1-8-13	D. JOHNSON	11356	2:20	Person who became a truck driver gate 8 and showed in at 07:03	0-14-2013	JOHN SAUL	12154	8:00 AM	AFW Tomorrow
1-8-13	MARTIN V.	11966	3:10	REST ROOM BREAK	0-14-2013	ASH. NASSIEF	11567	1140 AM	Need a Bathroom Break
1-8-13	CARMEN D	11780	3:41	REST ROOM BREAK	1-16-13	Honna A.			NOT AFW 1-17-13 1-18-13
1-8-13	D. JOHNSON	11356	3:11	REST ROOM BREAK		John Sole	12154	900	AFW 1-17-13 1-22-13
1-8-13	JOHN SAUL	12154	3:29	Called for Time		Nabil	12079	900	bathroom relief
1-8-13	MICHAEL M	12147	3:35	Called for Time		Tino Cuervo	11993		Honna reported tino late from break 8 min
1-8-13	SALEH M	12113	4:10	Called for Time		Tino Cuervo	11993	1503	request for bathroom break Relieved by Sammi
1-8-13	CARMEN D	11780	4:25	CALL IT STAY AT 16:50					
1-9-13	CARMEN D	11780	10:55	TURNED DOWN OVERTIME - HONNA LEFT TO 4 PM					
1-9-13	MARTIN VANCE	11966	12:30	REST ROOM BREAK					
1-9-13	JOHN SAUL	12154	12:40	AFW Tomorrow					
1-10-13	JOHN SAUL	12154	11:57	A.F.W. Tomorrow 1-11-13					
1-10-13	ANDRE TADROWS		11:57	A.F.W. 1-11-13					
1-10-13	D. JOHNSON	11356	11:58	need a bathroom break.					
1-10-13	ASHRAF NASSIEF	11567	12:17	need a bathroom break.					

DATE	NAME	WF #	TIME		DATE	NAME	WF #	TIME	
01/17/13	Carmen Delgado		0640	Called Out sick with a 8 AM start.	1/23/13	WONAN			Called to speak to Sam... until Monday
01/17/13	John Saul			Notified Sunny Roundman Available for work tomorrow 01/17/13	1-23-B	CARMEN D.	11780	446	FEB. 12- NOT AFW Going to Doc.
1/17/13	Carmen D.			AFW 1/18/13	1-23-13	E. LUTAK	11944	520	AFW. SUN. 1-27-4x12
1/18/13	Selena EL			Not AFW 01/21/13	1-24-13	Tino Cuervo		950	Requested to leave at 1500 Family Issue
1/18/13	A. Nassief			Request to leave at 4:00pm	1-24-13	mark			AFW Tomorrow
1/18/13	A. Nassief			AFW SAT, SUN, MON	1-24-13	JOHN SAUL	12154	1102	BATHROOM BREAK
	Sim Valdez	12032	815	AFW Monday	1-24-13	ASA		1147	AFW SUNDAY
	menel	12113	815	not AFW weekend	1-24-13	Thomas Meston	12147	1340	BATHROOM BREAK
	Andre	12044	847	AFW Monday	1-24-13	SELENA EL	11780	1440	Not AFW Feb 12
	Tino Cuervo	11993	1110	not AFW weekend	1-25-13	Carmen	12147		have trouble with driver
	Mike Miskelo	12147	1145	AFW Monday	1-25-13	John Sole	12154		AFW Monday
	David D.	12139	1445	AFW Tuesday	1-25-13	Martin V	11966		AFW Tuesday
1-22-13	Kanna		1045	Sam sent him sick home, he was feeling well	1-25-13	Selena	12103		Requested Monday off to go to DMV
1-22-13	John Saul		1040	AFW Tuesday	1-25-13	Kanna		1402	Not AFW Mon
1-22-13	Selena EL		1233	Asked for Bathroom Break	1-25-13	John Sole		1402	Sam 28, 12-13
1-22-13	Tino		1551	AFW for 12 days	1-28-13	JOHN WALKER	1002-9587	1002	Refused OT
1-23-13	Andrew			called for time	1-28-13	ANDRE CYRINO	12044	800	Requested Accident
					1-28-13	Rich Manette		1109	Asked for day off/tonight.
					1-28-13	JOHN WALKER	9587	1255	MUST LEAVE @ 4 PM.
									Shed out to go to the doctor.
									Want to know if he is off.



DATE	NAME	WF #	TIME		DATE	NAME	WF #	TIME	
1-28-13	TINO CUERVO	11993	1445	REQUESTED A BATHROOM BREAK	02-06-13	SELENA EL MILLS	12107	0820	NOT AV THURSDAY BUT AV
1-28-13	SELENA EL	12107	1519	CALL FOR ORDERS		ON FRIDAY 02-08-13			
1-28-13	RICH MANETTO	11699	1534	CALL FOR BATHROOM BREAK		TINO CUERVO		0830	NEEDS TO LEAVE BY 3 PM TO
						MODROW TO GO TO THE STRAND			NOW
1-29-13	ASHRAF NASSIEF	11567	800	REQUESTED TO LEAVE AT 1600	02-06-13	MARTIN VANCELO	11966	10:47	need a bathroom break, was
1-29-13	MARTIN VANCELO	11966	11:10	ASKING FOR bathroom break -	0-06	ordered to come his gate. (came to the Adm. Bldg.)			
1-29-13	John Walker	9587	1404	IS AFW 12-R WARD		NABIL AHMED	12079	1127	COVERING S.O. NASSIEF FOR A.B.
1-29-13	Jim Valdez	12032	1448	need a bathroom break.		CARMEN DELGADO	11780	1315	Asked for a SB - So Cyrrague relief
						MICHAEL MESTOLO	12147	1325	AFW SUNDAY 02-10-13
1-30-13	ASHRAF NASSIEF	11567	800	REQUESTED TO LEAVE @ 1600		E. LUTAK	11944	507	AFW SUN 2-10-13 4X12
1-30-13	MARTIN VANCELO	11966	12:48	need a bathroom break.		E. LUTAK	11944	516	NOT AFW FRI 2-8-
2-1-13	Nabil	12079	1408	Request for <del>for</del> FOR ASH TO USE the first room	02-07-13	TINO CUERVO	11993	0800	LEAVING @ 1500 TODAY
						JAMES VALDES	12032	1240	NOT AV THIS WEEKEND
2-1-13	Selema C. El	12107	0800	Will not be in work following days 12/11/13 2/11/13 - 2/11/13 N.AFW 2/18/13 2/25/13 - have Appt.		SHARON REED	12052	1343	NOT AV FRIDAY 02-08-13
						SHARON REED	12052	1415	AFW ON SUNDAY 02-10-13
						JAMES VALDES	12032	1423	NOT AV THURSDAY 02-28-13
02-08-13	Selema C. El	12107	0800	Will not be in Appt. on 2-8-13 in Ave W. Hoot Bein Unavailable	02-08-13	SELENA EL MILLS	12107	0800	NOT AFW SAT + SUN + MON
	Andre Cyrriague	12044	1520	NAFW Sat or Sun 2-24-13		MARTIN VANCELO	11966	0903	NOT AFW THIS WEEKEND
	Martin Vancel	11966	1520	NAFW Sat or Sun 2-24-13		VITO GENTILE	12056	0905	AFW SUNDAY
	Jimmy Valdes	12032	1520	NAFW Sat or Sun 2-24-13		JOHN SOUL	12154	1411	AFW Monday
	Manel Sateh	12113	1520	NAFW Sat or Sun 2-24-13		TINO CUERVO		1620	TURNED DOWN OT SAT 1400 2400
	Vito Gentile	12056	1520	AFW Sat ONLY 2-24-13	02-10-13	E. LUTAK	11944	432	AFW 2-10 THUR. 4X12
				NAFW SUN 2-24-13					
	A Nassief	11587	1520	AFW Sat ONLY 2-24-13	02-11-13	ASHRAF NASSIEF	11567	0800	AFW TUESDAY 02-12-13
				NAFW Sun 2-24-13		JOHN WALKER	09587	0800	NOT AV ON TUESDAY 02-12-13
	Selema C. El	12107	1520	AFW Sun ONLY 2-24-13		VITO GENTILE	12056	0800	NOT AV ON THURSDAY 02-14-13
				NAFW Sat 2-24-13		JAMES VALDES	12032	1005	AFW TUESDAY 02-12-13
						ANDRE CYRRIAGUE	12044	1045	MUST LEAVE 4PM Today

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DATE	NAME	WF #	TIME	
02-11-13	JOHN SERUL	12154	1405	AFW TUESDAY 02-12-13
02-11-13	DAVID DELISO	12139	1530	NEEDS TO LEAVE BY 1600 TODAY
02-13-13	JOHN SAUL	12154	0800	AFW THURSDAY 02-14-13
	CARMEN DELGADO	11780	0800	REQUESTED OFF TUESDAY 02-19-13 + FRIDAY, 02-08-13 AND THURSDAY 02-21-13
	TINDO CUEVO	1008	1155	WAS USING HIS CELL PHONE WHILE ON DUTY, SAUL ASKED HIM TO STOP
	ASH	11567	518	B.B. COVER BY ANDRE
	SELENA EL	12107	526	MUST LEAVE AT 6:00 PM
	E-LUTAK	11944	8:00	AFW 2-17-2-18 4X12
02-14-2013	D. De/iso		0608	NO CALLS LATENESS
02-14-2013	M. Vancel		0715	Requesting to leave at 4:00pm
02-14-13	JOHN SAUL	12154	0920	AFW FRIDAY 02-15-2013
	JAMES VALDES	12032	1105	REQUESTED TO GO TO REPAIR HIS TIRE
	JULIA VALDIVIA	11964	1110	REQUESTED TO GO TO CREDIT UNION
	SHARON REED		1207	NOT AFW FRIDAY 02-15-2013
	AND AFW SUNDAY + MONDAY, 02-17/18			
	ANDRE CYRIACUE		1406	AFW SAT + MON FEB 18 + 19
	JULIA VALDIVIA	11964	1407	AFW SUNDAY
02-15-13	ASH			AVA. SAT OR SUN 2-4
				AVA. MON
02-15-13	SELENA EL			NOT AFW SAT
				AFW - SUN 02/17/13
				12-8X 2-4
				NOT AFW MON TUE
02/15/13	Jimmy Vasquez			NOT AFW SAT SUN MON
	Martin Vancel			

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DATE	NAME	WF #	TIME	
02-15-13	JULIA VALDIVIA	11964	0800	AFW SUNDAY 02-17-13
	DAVID ROSE	09460	0800	WILL BE A FEW MINUTES LATE DUE TO TRAFFIC
	TINDO CUEVO	11993	1213	NEEDS TO LEAVE BY 1500 ON TUESDAY TO GO TO THE FEDERAL CREDIT UNION



02/25/13	ASHRAF NASSIEF	11567	0916	ASKED FOR ABB - Using the code	02/27/13	Carmen Delgado	0535	called she said she be on time
	JOHN SAUL	12154	1000	AFW THURSDAY 02-26-13				
	MARTIN VANCOI	11966	1129	ASKED FOR ABB - SC Gentle relief in		Carmen Delgado	0551	called - running late
	SHARON REED	12052	1245	NOT A WEDNESDAY 02-26-13		Sammy -	0620	Sammy called Patrol
	TINO CUERVO	11993	1405	Rest Room Break				to leave 1900. sent to go
	DAVID DELISO	12139	1524	NEEDS TO HAVE 4 hrs on Thursday				open to 0603
	DAVID D	12139	4:10	RR BREAK	02/27/13	Wu Yu	0704	called late 15 mins.
	RICHIE	11699	4:12	RR BREAK				Ordered by Sammy
	MARK K	12095	6:54	BANG OUT 8X4				WU YU 8 AM Start
	E-LUTAK	11944	7:05	ASKED TO COME 12:00		JOHN SAUL	12154	AFW THURSDAY 02-28-13
				MAD & AM APPT IN JAN		MARTIN VANCOI	11966	1153
				FOR 9:30 CAN'T CANCEL		Carmen Delgado	11780	1528
								ASK FOR afternoon break.
					12/28-13			
02/26/13	Selene EL	12107	0510	NAFW March 4, 5		MARTIN VANCOI	11964	0941
	Carmen Delgado		0710	AFO.T. Today & Tomorrow		ASHRAF NASSIEF	12079	0944
	JAMES VAIDES	12032	0935	Needs ABB - Vito relieved him		TINO CUERVO	11993	0945
	JOHN SAUL	12154	1103	AFW WEDNESDAY 02-27-13		TINO CUERVO	11993	0945
	ASHRAF NASSIEF	10567	1120	Needs BB - Vito relieved him		DAVID DELISO	12139	0957
	MARTIN VANCOI	11966	1157	Needs ABB - use the code		JOHN SAUL	12154	1367
	DAVID DELISO	12139	1217	Needs ABB - relieved by Vito		ASHRAF NASSIEF	11567	1353
	TINO CUERVO	11993	1501	Needs ABB - relieved by Vito		SELENE EL	12107	1500
	JOHN SAUL	12154	1225	AFW WEDNESDAY 02-27-13		RICHARD MARCETTO		1538
	JULIA VALDIVIA	11964	1515	Turned Down OT & Choke A	02/01/13	Selene EL	12107	0505
	MANAL SALEH	12113	1515	Turned Down OT & Choke A		A. Nassief	11567	0537
	RELIEVED BY S.O. GENTILE, back @ his post @ 1520					Michael H	12147	0730
	MANAL SALEH	12113	1515	Needs Thu 02-28-13 OFF		John Saul	12154	0731
	E-LUTAK	11944	1118	AFW SAT 3-2-4X12		ASHRAF NASSIEF	11567	1120
						MARTIN VANCOI	11966	1140
								Needs ABB - using the code

AS PER SAH: A REFEE WAS ORDER FOR NER @ 1545

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DATE	NAME	WF #	TIME	
3-7-13	SALEH	12113	8:20 PM	called for time
02-08-13	Selena El	12107	0520	AFW SUN 3-4-03/10/13
	A. Nassief	11567	0600	Request to leave at 4pm Today 03/08/13 AFW - 8 to 4 SUN 03/10/13 - ONLY
	M. Vancel	11966	0640	AFW Sunday 03/10/13 8 to 4 ONLY
	Ahmed Nabil		0650	AFW - SAT SUN 03/09/13 03/10/13
	M. Vancel	11966	0728	Called Request to leave at 4:00 PM TODAY 03/08/13
02-08-13	DAVID DELISO	12139	0755	WILL BE 5 MINUTES LATE
	VITO GENTILE		0800	AFW SATURDAY 03-09-13
	JAMES VALDES	12032	0800	NEEDS TUESDAY 03-12-13 OFF
	ASHRAE NASSIEF	11567	0800	AFW SAT + SUN
	DAVID DELISO	12139	0944	NEEDS A BB - Noted by Vancel
	David Deliso	12139	1033	Request for a ride to the MFG. (G.C.)
	David Deliso	12139	1400	Broken down truck outbound
	GARY BUSHNELL		1455	TURNED DOWN AT
03-11-13	MICHAEL MESTALO	12147	0800	NEEDS TO LEAVE AT 1700 TODAY
	MARTIN VANCELO	11966	0800	NEEDS FRIDAY 03-22-13 OFF

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DATE	NAME	WF #	TIME	
03-11-	JAMES VALDES	12032	1100	NEEDS OFF THE FOLLOWING DAYS: THU + FRI MAY 9 <sup>th</sup> + 10 <sup>th</sup> + MON + TUE MAY 13 <sup>th</sup> + 14 <sup>th</sup>
	DAVID DELISO	12139	1138	NEEDS TUESDAY 03-12-13 OFF
	TUNG CUERVO	11993	1458	NEEDS A BB
	David Deliso	12139	1517	NOT AFW TUES.
	TUNG CUERVO		1519	was told by Sammy to use the Northroom in the office but use the bathroom in the main building
3-12-13	Vito Gentile	12056	1418	NOT AFW Thursday 3-14-13
	JOHN SAUL	12154		AFW WEDNESDAY 03-13-13
03-13-13	DAVID DELISO	12139	0820	NEEDS A BB - rel by Gentile
	ASHRAE NASSIEF	11567	1108	NEEDS A BB - rel by Scott Stale
	MARTIN VANCELO	11966	1138	Asked for A BB - rel by Stale
	RICHARD MANETTO	11699	1307	NEEDS A BB - rel by Stale
	E. LUTAK	11944	1036	AFW SUN 3-17-13 MON 3-18-13
03-14-13	Selena El	12107	0519	AFW SUN 03/17/13 12-8 or 8-4
	A. Nassief	11567	0655	Request to leave at 4pm
	JOHN SAUL	12154	0800	AFW Friday 03-15-13
	MARK KWAKYE	12095		He's going to be a few minutes late
	MARK KWAKYE	12095		was late 10 minutes
	SELINA EL MILLS	12107	0910	NEEDS A BB - rel by SO. Reed
	MANAL SALEH	12113		NOT AFW Friday 03-15-13
	CARMEN DELGADO	11780		NOT AFW Friday 03-15-13
	SHARON REED			AFW SUNDAY 03-17-13

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